

**To:** Davis, Derek[Davis.Derek@epa.gov]  
**Cc:** Dolan, Sheila[dolan.sheila@epa.gov]  
**From:** Gosnell, Jody  
**Sent:** Mon 4/30/2018 5:16:00 PM  
**Subject:** PCSC ULOs  
contracts ULOTool forJody 04302018.xlsx

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Hi Derek,

I did a list for everyone that was have worked on my team since January 2017. Jody

*Jody Gosnell  
Contracting Officer/Team Leader  
Headquarters Procurement Operations Division  
Office of Acquisition Management  
Office: (202) 564-4353  
Email: [gosnell.jody@epa.gov](mailto:gosnell.jody@epa.gov)*

Message

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**From:** Brown.Rayna@epa.gov [Brown.Rayna@epa.gov]  
**Sent:** 12/19/2017 8:42:33 PM  
**To:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** EAS Buyer Assignment Notification

Reference Document: Purchase Order, EP-18-H-000025, P00001.

Message: Donna Dews is no longer the buyer as of 12/19/2017. Rayna Brown has been assigned to this award.

You may access the document at <https://eas.epa.gov/>

Owner: Rayna Brown  
Requisitioner: Javier Araujo  
Technical Point of Contact: Michael Quarles  
Buyer: Rayna Brown  
Contracting Officer: Rayna Brown  
Contracting Officer Representative: Michael Quarles  
Site: HPOD/PCSC  
Originating Office: HPOD  
Issuing Office: HPOD  
Admin Office: HPOD

Message

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**From:** Wilson.Jessica@epa.gov [Wilson.Jessica@epa.gov]  
**Sent:** 12/7/2017 9:35:45 PM  
**To:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** EAS Document Notification

Reference Document: Purchase Order, EP-18-H-000025.

Message: Jessica Wilson was assigned as the Contracting Officer on 12/07/2017

You may access the document at <https://eas.epa.gov/>

Owner: Donna Dews  
Requisitioner: Javier Araujo  
Buyer: Donna Dews  
Contracting Officer: Jessica Wilson  
Contracting Officer Representative: Michael Quarles  
Site: OA  
Originating Office: HPOD  
Issuing Office: HPOD  
Admin Office: HPOD

Message

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**From:** Wilson.Jessica@epa.gov [Wilson.Jessica@epa.gov]  
**Sent:** 12/7/2017 9:35:44 PM  
**To:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** EAS Document Notification

Reference Document: Purchase Order, EP-18-H-000025.

Message: Purchase Order was released by Jessica Wilson on 12/07/2017

You may access the document at <https://eas.epa.gov/>

Owner: Donna Dews  
Requisitioner: Javier Araujo  
Buyer: Donna Dews  
Contracting Officer: Jessica Wilson  
Contracting Officer Representative: Michael Quarles  
Site: OA  
Originating Office: HPOD  
Issuing Office: HPOD  
Admin Office: HPOD



Message

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**From:** OAM Service Desk [OARM-OAM-ITSC-ServiceDesk@epa.gov]  
**Sent:** 12/7/2017 8:40:19 PM  
**To:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** {TID:154544} Ticket # 154544 - EP-18-H-000025 - Kicked out of FPDS-NG Page

Ticket changes:

New Ticket

**Subject:** EP-18-H-000025 - Kicked out of FPDS-NG Page

Issue:

Donna reported that she kept getting kicked out of FPDS-NG as she filled out the record for EP-18-H-000025.

Resolution:

I watched her complete the FPDS-NG record through Skype, and she was able to fill out the record without being kicked out.

**Comments By:** KARENNA GENZLINGER

*This comment contains no attachments*

[View ticket](#)

Message

**From:** Wilson, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF76604C334046EF81611A859D0E0E14-WILSON, JESSICA]  
**Sent:** 12/7/2017 8:31:59 PM  
**To:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**CC:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aead4fb4e-KSTEWA02]; Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]; Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]; Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** RE: Order Ready

Please baseline the order in EAS, attach Michaels justification in EAS and run final validations.let me know when it's ready for my review.

*Jessica V. Wilson*  
*Contracting Officer*

***U.S. Environmental Protection Agency***

***OARM/OAM/HPOD/PCSC***

*Ronald Reagan Building #61178*

*1200 Pennsylvania Ave. NW Mail Code: 3803R*

*Washington, DC 20460*

*Phone: 202-564-2504*

*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

**From:** Dews, Donna  
**Sent:** Thursday, December 07, 2017 3:29 PM  
**To:** Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>  
**Cc:** Stewart, Keith <[Stewart.Keith@epa.gov](mailto:Stewart.Keith@epa.gov)>; Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>; Brown, Rayna <[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)>; Quarles, Michael <[Quarles.Michael@epa.gov](mailto:Quarles.Michael@epa.gov)>  
**Subject:** Order Ready  
**Importance:** High

Jessica

The order is ready to be signed EP-18-H-000025. Need Michael Quarles signed Memo for Approval

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center  
Washington, DC 20460  
202-564-6752 (DIRECT)  
[Dews.donna@epa.gov](mailto:Dews.donna@epa.gov)

Message

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**From:** Dews, Donna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD99DF2C6FE486496B3B06EAA87F987-DEWS, DONNA]  
**Sent:** 5/14/2018 12:14:54 PM  
**To:** Dolan, Sheila [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e4b4d1c3fe9445368633ff4dc416f5d1-SDolan]  
**CC:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** FW: ACTION >> FW: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)-CORRECTION

Correction to text below 4 or 5 months ago

-----Original Message-----

From: Dews, Donna  
Sent: Monday, May 14, 2018 7:56 AM  
To: Dolan, Sheila <dolan.sheila@epa.gov>  
Cc: Brown, Rayna <brown.rayna@epa.gov>  
Subject: FW: ACTION >> FW: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Hi Sheila

This could have been acted upon - the choices made or the choices not made was a management decision to not process. This was probably 4 or 5 ago before new position was taken and responsibility of then service center manager. Advise.

Thank you.

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center  
Washington, DC 20460  
202-564-6752 (DIRECT)  
Dews.donna@epa.gov

months before new position was taken. Advise.

-----Original Message-----

From: Brown, Rayna  
Sent: Monday, May 14, 2018 6:49 AM  
To: Dews, Donna <Dews.Donna@epa.gov>; Gosnell, Jody <Gosnell.Jody@epa.gov>  
Cc: Dolan, Sheila <dolan.sheila@epa.gov>  
Subject: ACTION >> FW: PRISM workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Hello Donna,

I hope all is well with you. Given that I am no longer supporting PCSC and this pending modification is a basic modification to officially close out the terminated order that was protested, there is no reason that I have to be the person to complete the transaction. Therefore, please coordinate internally within PCSC to complete this action. If you want me to delete it then please let me know as someone in PCSC may want to start the mod from scratch under their purview or may conclude that the action/modification is not needed. Please consult with Jody and/or Sheila and let me know if I'm deleting the mod or not.

Thanks and have a nice day!

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA) OAM/HPOD/Pre-Award Solutions Team  
(202) 564.6025 Office

-----Original Message-----

From: EAS.System@epamail.epa.gov [mailto:EAS.System@epamail.epa.gov]  
Sent: Sunday, May 13, 2018 6:44 AM  
To: Brown, Rayna <brown.rayna@epa.gov>  
Subject: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 83 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.

Message

**From:** Dews, Donna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD99DF2C6FE486496B3B06EAA87F987-DEWS, DONNA]  
**Sent:** 12/11/2017 12:07:10 PM  
**To:** Wilson, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af76604c334046ef81611a859d0e0e14-Wilson, Jessica]  
**CC:** Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]  
**Subject:** Modification of EP-18-H-000025

Good morning

I will be preparing a modification for the period of performance per quote and I will give you the file upon completion of the modification. The P.O.P. per quote is 1/8/18 to 1/7/19. Thank you for all your help in achieving the award status.

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center  
Washington, DC 20460  
202-564-6752 (DIRECT)  
Dews.donna@epa.gov

Message

**From:** Gosnell, Jody [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4F489F642C624968AC8785B093B42381-JGOSNELL]  
**Sent:** 8/11/2017 11:31:04 PM  
**To:** Gosnell, Jody [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f489f642c624968ac8785b093b42381-Jgosnell]  
**Subject:** Accomplishments today (HAD A BABY GRANDAUGHTER BORN :)

Reviewed and processed 8 WPAs for EPW16017 (Jacqueline's order)  
Reviewed funding mod for EPW17009 (Jacqueline's order)  
Researched contact information for PR-OA-17-00132 for the OA office (Donna's Order)  
Conference call with Joe Pounder for PR listed above (Vendor)  
Conference call with Stephanie Sherony to obtain letter from vendor that we have received the final invoice on PR-OIG-17-00039 for deob (Jody)  
Conference call with Tracey Williams to provide comments on ratification. This will be sent to you on Monday (Tracey)  
Conference call with Cheryl Brown on the status of several items she is waiting on from Jacqueline  
Completed WAs and WPs for EPW15011 and EPW17009 (Order removed from Jacqueline that Jody is processing)  
Conference call with Michael Perez and Donna Dews on PR-OIG-17-00033 for required documents needed to move forward with posting order. (Donna)  
Conference call with Jessica Wilson on status of TO extensions for Sharlene Matten (Need to get the history from you about why we are holding off on doing these extensions) (Jessica)  
Conference call with Sharlene Matten on PRs that were asked about from Bruce Berkley at the Client Engagement meeting (Jacqueline order)  
Conference call with Vonda Jeanette on pending actions that are over two months old and submitted the recap for 68-W-03-048 (Jody)  
Returned emails and other phone calls

*Jody Gosnell*  
*Contracting Officer/Team Leader*  
*Headquarters Procurement Operations Division*  
*Office of Acquisition Management*  
*Office: (202) 564-4353*  
*Email: [gosnell.jody@epa.gov](mailto:gosnell.jody@epa.gov)*

Message

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**From:** Wilson, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF76604C334046EF81611A859D0E0E14-WILSON, JESSICA]  
**Sent:** 12/8/2017 5:42:23 PM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]; Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]  
**CC:** Grantham, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12a3c2ed7158417fb0bb1b1b72a8cfb0-Grantham, Nancy]  
**Subject:** RE: EP-18-H-000025

You as well!

*Jessica V. Wilson*  
*Contracting Officer*

*U.S. Environmental Protection Agency*  
**OARM/OAM/HPOD/PCSC**  
*Ronald Reagan Building #61178*  
*1200 Pennsylvania Ave. NW Mail Code: 3803R*  
*Washington, DC 20460*  
*Phone: 202-564-2504*  
*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

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**From:** Quarles, Michael  
**Sent:** Friday, December 08, 2017 12:28 PM  
**To:** Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>; Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>  
**Cc:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** RE: EP-18-H-000025

Thank you.

Have a great day,

Michael G. Quarles  
Acquisitions and Assistance Manager  
Office of Administrative and Executive Services  
US Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Mail Code 6202A  
(202) 343-9970

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**From:** Wilson, Jessica  
**Sent:** Friday, December 08, 2017 12:27 PM  
**To:** Quarles, Michael <[Quarles.Michael@epa.gov](mailto:Quarles.Michael@epa.gov)>; Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>  
**Subject:** RE: EP-18-H-000025

Good Morning Michael you can begin now with using this contract.

Thanks,

*Jessica V. Wilson*  
*Contracting Officer*

***U.S. Environmental Protection Agency***

**OARM/OAM/HPOD/PCSC**

*Ronald Reagan Building #61178*

*1200 Pennsylvania Ave. NW Mail Code: 3803R*

*Washington, DC 20460*

*Phone: 202-564-2504*

*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

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**From:** Quarles, Michael

**Sent:** Friday, December 08, 2017 11:41 AM

**To:** Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>

**Cc:** Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>

**Subject:** EP-18-H-000025

Hello Ladies,

Thank you again for all of hard work yesterday awarding this contract. Management would like to know what is the earliest can they use this contract. I wasn't sure if there was any additional time for the system to catch up with signatures. Please advise so I can report back.

Have a great day,

Michael G. Quarles  
Acquisitions and Assistance Manager  
Office of Administrative and Executive Services  
US Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Mail Code 6202A  
(202) 343-9970



Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/14/2018 10:44:04 PM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 85 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/13/2018 10:43:34 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/12/2018 10:42:43 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/11/2018 10:41:57 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/10/2018 10:41:43 PM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/9/2018 10:41:05 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 81 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/8/2018 10:41:17 PM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 81 working days awaiting their review.

Message

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 5/7/2018 11:34:48 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** Automatic reply: PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

I am currently out of the office and returning May 9, 2018. In the interim, please feel free to contact the following designated acting Pre-Award Solutions Team Manager during my absence:

Lin Pinskey  
(202) 564-4394  
pinskey.lin@epa.gov

I will respond to voice mail messages and emails upon my return to the office. Have a wonderful day!



Message

---

**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/7/2018 10:40:48 AM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 79 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/6/2018 10:41:24 PM  
**To:** Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 79 working days awaiting their review.

Message

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**From:** Scott, Elaine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B1C4758A7BDA4256B7E79CEC4B9F493F-ESCOTT02]  
**Sent:** 12/7/2017 9:39:53 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWAO2]  
**Subject:** PO#EP-18-H-000025 - Deviner's

Hi Keith,

The award has been approved and released in EAS. Donna is in the process of distributing it as we speak. Please make sure you send a special thank you to Jessica Wilson and Donna for ALL of their efforts in getting this done today. It has been a trying experience.

Elaine

Elaine Scott,  
Associate Division Director  
OARM/OAM/SRRPOD

Delivery Report

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**From:** Wilson, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF76604C334046EF81611A859D0E0E14-WILSON, JESSICA]  
**Sent:** 12/11/2017 3:17:30 PM  
**To:** Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]  
**Subject:** Read: Distribution of EP-18-H-000025 - A more legible copy

Your message

**To:** Wilson, Jessica  
**Subject:** FW: Distribution of EP-18-H-000025 - A more legible copy  
**Sent:** 12/11/2017 2:25:38 PM

was read 12/11/2017  
on 3:17:15 PM

Your message

To: Wilson, Jessica  
Subject: FW: Distribution of EP-18-H-000025 - A more legible copy  
Sent: Monday, December 11, 2017 9:25:38 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, December 11, 2017 10:17:15 AM (UTC-05:00) Eastern Time (US & Canada).

Message

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**From:** Scott, Elaine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B1C4758A7BDA4256B7E79CEC4B9F493F-ESCOTT02]  
**Sent:** 12/7/2017 10:34:35 PM  
**To:** Plater, Lottie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7194d288133242d8ac2fbea47312fe83-PLATER, LOTTIE]  
**CC:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWA02]  
**Subject:** RE: Distribution of EP-18-H-000025

Thanks to Jessica Wilson and Donna Dews. I just stayed informed and abreast of the situation until it was awarded.

---

**From:** Plater, Lottie  
**Sent:** Thursday, December 07, 2017 5:31 PM  
**To:** Scott, Elaine <Scott.Elaaine@epa.gov>  
**Cc:** Stewart, Keith <Stewart.Keith@epa.gov>  
**Subject:** RE: Distribution of EP-18-H-000025

Thanks for your help on this Elaine!

Lottie Plater  
Associate Director,  
OARM/OAM/HPOD  
Environmental Protection Agency  
Email: [plater.lottie@epa.gov](mailto:plater.lottie@epa.gov)  
W: 202-564-0163  
C: 202-568-9436  
"Blowing out someone else's candle doesn't make yours shine any brighter"

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**From:** Dews, Donna  
**Sent:** Thursday, December 07, 2017 5:28 PM  
**To:** Group DDC-Customer <[DDC-Customer@epa.gov](mailto:DDC-Customer@epa.gov)>; Julia Cotrone <[jcotrone@definercorp.com](mailto:jcotrone@definercorp.com)>; [jpounder@definercorp.com](mailto:jpounder@definercorp.com)  
**Cc:** Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>; Stewart, Keith <[Stewart.Keith@epa.gov](mailto:Stewart.Keith@epa.gov)>; Plater, Lottie <[Plater.Lottie@epa.gov](mailto:Plater.Lottie@epa.gov)>; Quarles, Michael <[Quarles.Michael@epa.gov](mailto:Quarles.Michael@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** Distribution of EP-18-H-000025

Please process award attached. Thank you.

**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 9/7/2018 1:43:09 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]; Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWA02]  
**Subject:** Rescheduled Bi-Weekly  
**Location:** Keith's Office  
  
**Start:** 9/10/2018 2:00:00 PM  
**End:** 9/10/2018 3:00:00 PM  
**Show Time As:** Busy

Rescheduled from 09/06/2018

## PROPOSED DISCUSSION TOPICS

### I. Personnel Matters

- a. Approved re-organization
  - i. No Team Leader
  - ii. New hires
  - iii. Difference in Laboratory Supplies vs. OLEM ER/RAF/LAB
  - iv. Workload analysis data and forecasting (new higher value; volume, pace)

### II. Operational Matters

- a. OIG for Definers
- b. OPAA pre-award
- c. Execution Plan for Consolidation
- d. Incremental funding SOP and SAP SOP
- e. OASIS proof of concept
- f. Obligation requirements for IDIQ contract minimum research
- g. Preparing and organizing for new staff

### III. Administrative and Miscellaneous Matters

- a. Leave request for 09/12/2018
- b. Leadership coaching

**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 9/5/2018 6:34:19 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]; Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWA02]  
**Subject:** Reschedule Preaward Team Biweekly  
**Location:** Keith's Office  
**Start:** 9/6/2018 1:30:00 PM  
**End:** 9/6/2018 2:30:00 PM  
**Show Time As:** Busy

## PROPOSED DISCUSSION TOPICS

### I. Personnel Matters

- a. Approved re-organization
  - i. No Team Leader
  - ii. New hires
  - iii. Difference in Laboratory Supplies vs. OLEM ER/RAF/LAB
  - iv. Workload analysis data and forecasting (new higher value; volume, pace)

### II. Operational Matters

- a. OIG for Definers
- b. OPAA pre-award
- c. Execution Plan for Consolidation
- d. Incremental funding SOP and SAP SOP
- e. OASIS proof of concept
- f. Obligation requirements for IDIQ contract minimum research
- g. Preparing and organizing for new staff

### III. Administrative and Miscellaneous Matters

- a. Leave request for 09/12/2018
- b. Leadership coaching

## Appointment

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 12/27/2017 5:41:14 PM  
**To:** Wilson, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af76604c334046ef81611a859d0e0e14-Wilson, Jessica]; Quarles, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=951484b9021546999a5737d3f997f00b-Quarles, Michael]; Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]; Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]; Gosnell, Jody [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f489f642c624968ac8785b093b42381-Jgosnell]  
**CC:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aead4fb4e-KSTEWA02]  
**BCC:** DCRoomRRB61233California25pp/DC-Ronald-Reagan-OAM [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=userd6a3809b]  
**Subject:** IMMEDIATE ACTION >> Congressional - Oversight request on Definers Inc. contract  
**Attachments:** REQUEST FOR YOU IMMEDIATE ACTION Re: Congressional - Oversight request on Definers Inc. contract  
**Location:** DCRoomRRB61233California25pp/DC-Ronald-Reagan-OAM  
**Start:** 1/9/2018 3:30:00 PM  
**End:** 1/9/2018 4:30:00 PM  
**Show Time As:** Busy

Hello all—

Please read the attached email as it will be the subject of this meeting and be prepared to provide all input and dialogue necessary to respond to this inquiry. When arriving at this meeting, please be prepared as follows:

- Read the email and the requested documents and
- Bring your laptop and any other pertinent materials not in the file

This is a top priority and is due today, January 9, 2018. We are also jointly responding to multiple FOIA requests for this same requirement. Thank you in advance for your assistance.





Committee on Transportation and Infrastructure  
U.S. House of Representatives

Bill Shuster  
Chairman

Washington, DC 20515

Peter A. DeFazio  
Ranking Member

January 3, 2018

Mathew M. Stinger, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Pruitt:

I write to request further information on the process for awarding a \$120,000 no-bid contract<sup>1</sup> ("Contract") by the U.S. Environmental Protection Agency (EPA) to Definers Public Affairs ("Definers") to provide "news analysis and brief service focusing on EPA work and other topics of interest to EPA."<sup>2</sup> While I am aware of press reports that EPA and Definers may have agreed to cancel this contract,<sup>3</sup> I request this information for Congressional oversight of the process by which EPA provided notice and solicited offers for this work, and identified and awarded Definers the contract for this work.

According to Federal records, on December 7, 2017, EPA contracted with Definers for a total contract value of \$120,000 in a contract not submitted for full and open competition.<sup>4</sup> According to *The Hill*, EPA planned to utilize the company's "Definers Console" which, according to Definers' marketing materials, is a "war room" for "media monitoring/newspaper compilation".<sup>5</sup>

An online summary of the Contract states that it was not submitted to full and open competition, citing an "ONLY ONE SOURCE - OTHER" exception.<sup>6</sup> However, in a news article,

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<sup>1</sup> EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017), *available at* <https://www.usaspending.gov/Transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DACC0CEB7&AwardID=59978626&AwardType=C> [hereinafter "EPA Award"].

<sup>2</sup> *Id.*

<sup>3</sup> Eric Lipton and Lisa Friedman, *Consulting Firm Whose Staff Scoured E.P.A. Employees' Emails Loses Media Contract*, New York Times (Dec. 19, 2017), <https://www.nytimes.com/2017/12/19/climate/epa-definers-public-affairs-contract.html>.

<sup>4</sup> EPA Award, *supra* note 1.

<sup>5</sup> Devin Henry, *EPA inks \$120k contract with Republican opposition research firm*, The Hill (Dec. 15, 2017), <http://thehill.com/policy/energy-environment/365088-epa-inks-120k-contract-with-republican-opposition-research-firm>.

<sup>6</sup> EPA Award, *supra* note 1.

EPA spokesperson, Nancy Grantham, stated, “When the government seeks to sole-source a contract, notice must be placed on *FedConnect* or *FedBizOps* so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work... In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.”<sup>7</sup> This statement from EPA seems to suggest that Definers was not the only company that responded to EPA’s contract solicitation, and that EPA may have received multiple bids from vendors in response to this solicitation and notice.

In the same story, the EPA spokesperson stated that the Definers Contract was “\$87,000 cheaper than our previous media monitoring vendor,”<sup>8</sup> which, again, suggests that other companies were potentially available to provide similar services.

I also request further information on your personal involvement, or the involvement of the political staff of EPA, in the identification of Definers as a potential candidate for the Contract. I am aware that your Senior Communications Advisor worked with two current Definers staff during the Rubio for President Campaign.<sup>9</sup> I am also well aware that several Definers staff are previous founders, leaders, and employees of the American Rising PAC, a political video tracking firm that targets Democratic candidates for elected office.<sup>10</sup> Similarly, several current Definers staff also hold positions with other political organizations, such as America Rising Squared or Reclaim Connecticut<sup>11</sup>—both organizations that appear to target the “Environmental Left... and exposing their extreme rhetoric and agenda.”<sup>12</sup> Yet, while the staff of Definers have a partisan reputation and history of campaign work for Republican causes, I see no evidence that Definers has any prior experience in providing “news analysis and brief service focusing on EPA work and other topics of interest to EPA”, as required by the contract.

The only EPA-related experience I could uncover by Definers staff is the reported “witch hunt against EPA employees” alleged to have expressed concerns about the agency or its leadership. According to *The New York Times*, a Senior Vice President of Definers, Allan Blutstein, has made several Freedom of Information Act (FOIA) requests targeting individual EPA employees who, Mr. Blutstein alleges, have raised concerns about the ability of the agency to meet its statutory missions of protection of human health and the environment. In only a cursory look at *FOIAonline*, in calendar year 2017, Mr. Blutstein made 25 FOIA requests of EPA on behalf of America Rising—20 of which specifically target the individual emails of EPA staff to various news organizations or Congressional offices. While the specific intentions of Mr. Blutstein are not known, the fact that you were willing to hire a company that would personally and publically target your employees for potential harassment portends a type of personnel management taken right out of George Orwell’s *1984*.

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<sup>7</sup> Kevin Bogardus, *Agency signs Republican PR firm to \$120K contract*, Greenwire (Dec. 15, 2017), <https://www.eenews.net/greenwire/2017/12/15/stories/1060069191>.

<sup>8</sup> See *id.*

<sup>9</sup> Cf. <https://www.linkedin.com/in/jahan-wilcox-ab55477/> with <https://www.linkedin.com/in/joe-pounder-5b5b66b/> and <https://www.linkedin.com/in/mike-chenderlin-319a90106/>.

<sup>10</sup> See <https://americarisingpac.org/>.

<sup>11</sup> See <https://reclaimct.com/about-us/>.

<sup>12</sup> See <http://arsquared.org/energy/>.

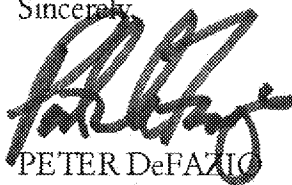
To exercise our Congressional oversight responsibilities, I request additional information related to the awarding of the Contract to Definers. Specifically, I request you provide my office on the Committee on Transportation and Infrastructure with the following information:

1. A copy of the initial public solicitation or notice related to the “news analysis and brief service” work put out for bid, including evidence on the manner in which this solicitation or notice was made publicly available and a timeline on the contract solicitation period;
2. A description of the internal EPA process utilized to publicly notice and solicit offers for this work and to identify and award the contract for this work, including the identity of EPA staff (including political staff) that participated in this process;
3. A copy of all formal contract responses or other indications of interest to this solicitation or notice from prospective companies seeking to bid on this work;
4. A copy of all internal EPA emails, EPA communications, or other deliberative materials related to Definers, current Definers staff, or the Contract;
5. A description of the prior experience of Definers in providing “news analysis and brief service focusing on EPA work and other topics of interest to EPA”, as required by the Contract;
6. A copy of the final Contract with Definers; and
7. A copy of the contract between EPA and any company that provided similar media monitoring services to the agency *immediately prior* to the awarding of the Contract with Definers (press reports indicate that this contract was with a company called Bulletin Intelligence, LLC).

If you have any questions regarding this request, please have your staff contact the Democratic Staff of the Subcommittee on Water Resources and Environment at (202) 225-0060.

Thank you for your prompt attention to this matter.

Sincerely,



PETER DeFAZIO  
Ranking Member

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

January 5, 2018

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Pruitt:

We write to express our serious concerns regarding the awarding of a \$120,000 no-bid contract<sup>1</sup> (“Contract”) by the U.S. Environmental Protection Agency (EPA) to Definers Public Affairs (“Definers”) to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”<sup>2</sup> The awarding of this contract without full and open competition<sup>3</sup> to a company with no apparent experience in providing these services to a Federal agency<sup>4</sup> is concerning enough on its own. However, the political activities and affiliations of Definers make this action more alarming.<sup>5</sup> While Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

Federal records show that on December 7, 2017 EPA contracted with Definers for a total contract value of \$120,000 in a contract not submitted to full and open competition.<sup>6</sup> Additionally, *The Hill* reported that EPA will utilize the company’s “Definers Console” which, according to Definers’ marketing materials, is a “war room” for “media monitoring/newsclip

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<sup>1</sup> EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017) (<https://www.usaspending.gov/Transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>) [hereinafter “EPA Award”].

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Rebecca Leber, Andy Kroll and Russ Choma, *The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity*, Mother Jones (December 15, 2017) (<http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>).

<sup>5</sup> Devin Henry, *EPA inks \$120k contract with Republican opposition research firm*, The Hill (Dec. 15, 2017) [hereinafter “Devin Henry”].

<sup>6</sup> EPA Award, *supra* note 1.

compilation.”<sup>7</sup> Definers describes the war room as a tool allowing the firm “to identify and react immediately to opportunities arising out of the news cycle and to flag potential challenges and crises before they take on a life of their own.”<sup>8</sup>

This vague description becomes particularly concerning given the other services offered by Definers. The firm offers lobbying services, including “recruiting and mobilizing constituents, local authorities, like minded organizations, and non-traditional allies.” Clearly, these are services which would constitute a violation of the antilobbying prohibitions if included in the EPA contract. Other services offered include working “to validate your [the client’s] narrative through the press and social media platforms” and “interface[ing] directly with reporters and editors both on and off the record, protecting our clients’ identity when desired.” These services, if included in the scope of the contract, would violate the prohibition on covert propaganda by federal agencies.

Especially concerning, Definers offers clients “dossiers on opponents, competitors and agitators ... packaged in easily digestible, media friendly formats.” We are also deeply troubled that individuals on Definers staff have been involved in a “witch hunt against E.P.A. employees” that may have publicly or privately expressed concerns about the Agency or its leadership. According to a December 17, 2017 article in *The New York Times*,<sup>9</sup> a Senior Vice President of Definers made several Freedom of Information Act (FOIA) requests targeting individual EPA employees who may have either expressed concerns about the direction of the Agency to meet its statutory missions of protecting human health or the environment. *The New York Times* reports that the targeted actions may have included private conversations at an off-site luncheon, a letter to Administrator Pruitt, or attendance at a rally protesting budgetary cuts to the agency.<sup>10</sup>

We have become increasingly concerned about the secrecy and lack of transparency from your administration, and this latest report is an alarming new development. Hiring a firm that offers services attacking the press and surveilling your employees threatens the functioning of your agency and potentially the freedom of the press guaranteed by our Constitution.

We request that you respond to the following by January 19, 2018:

1. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

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<sup>7</sup> Devin Henry, *supra* note 5.

<sup>8</sup> Definers Public Affairs, “What We Do” (<https://www.definersdc.com/services>).

<sup>9</sup> Eric Lipton and Lisa Friedman, *E.P.A. Employees Spoke Out. Then Came Scrutiny of Their Email*, *The New York Times*, (Dec. 17, 2017).

<sup>10</sup> *See id.*

2. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?
3. Was Definers, America Rising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
4. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
5. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.
6. On December 10, *The New York Times* published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.<sup>11</sup> EPA issued an unusual press release in response, which has since been removed from the Agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10<sup>th</sup> article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10<sup>th</sup> article.
7. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?
8. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

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<sup>11</sup> Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017).

Thank you for your prompt attention to this matter. If you have any questions, please contact Jacqueline Cohen from the Committee on Energy and Commerce Democratic Staff at (202) 225-3641.

Sincerely,



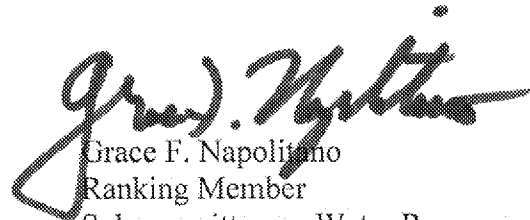
Franks Pallone, Jr.  
Ranking Member  
Committee on Energy and Commerce



Peter DeFazio  
Ranking Member  
Committee on Transportation  
and Infrastructure



Paul D. Tonko  
Ranking Member  
Subcommittee on Environment  
Committee on Energy and Commerce



Grace F. Napolitano  
Ranking Member  
Subcommittee on Water Resources  
and Environment  
Committee on Transportation  
and Infrastructure



Betty McCollum  
Ranking Member  
Subcommittee on Interior,  
Environment and Related Agencies  
Committee on Appropriations

# United States Senate

WASHINGTON, DC 20510

December 19, 2017

The Honorable Scott Pruitt  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

Dear Administrator Pruitt:

We are writing you to express our concerns about the decision by the Environmental Protection Agency (EPA) to award a \$120,000 no-bid contract for “news analysis” to Definers Public Affairs, as reported this week by *Mother Jones*<sup>1</sup> and the *New York Times*.<sup>2</sup> EPA’s contract with Definers risks further politicizing the agency and is another instance of EPA under your tenure becoming captured by the industry it regulates.<sup>3</sup> At a minimum, it presents an appearance of impropriety to which you as Administrator should never be a party. For the reasons that follow, you should terminate this contract immediately.

Definers shares an address and staff with America Rising, a political action committee (PAC) that has been described as the “unofficial research arm of the Republican party.”<sup>4</sup> America Rising has branded itself as an organization on the right founded “for the sole purpose of exposing the truth about Democrats through video tracking, research, and communications.”<sup>5</sup> The group spends its time attacking Democrats, progressives, and environmentalists and lists Definers as one of its largest vendors.<sup>6</sup> America Rising also operates the 501(c)(4) organization America Rising Squared, a dark money organization whose contributors are anonymous. The leadership teams of America Rising and Definers share numerous individuals. For example, Definers’ founder, Matt Rhoades, also founded America Rising.<sup>7</sup> Definers’ president, Joe Pounder, is also the president of America Rising.<sup>8</sup> Definers’ Senior Vice President, Brian Rogers, is also the executive director of America Rising Squared.<sup>9</sup> These organizations may

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<sup>1</sup> “The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity,” *Mother Jones*, <http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>

<sup>2</sup> “E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials,” *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

<sup>3</sup> “How Rollbacks at Scott Pruitt’s E.P.A. Are a Boon to Oil and Gas,” *The New York Times*, <https://www.nytimes.com/2017/05/20/business/energy-environment/devon-energy.html>; “Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers,” *The New York Times*, <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

<sup>4</sup> “Political Operatives Find Demand for Their Skills in Business World,” *The Wall Street Journal*, <https://www.wsj.com/articles/political-operatives-find-demand-for-their-skills-in-business-world-1462136874>

<sup>5</sup> America Rising, <https://americarisingpac.org/about-us/>

<sup>6</sup> America Rising PAC Expenditures (2018), Open Secrets.org, <https://www.opensecrets.org/pacs/expenditures.php?cmte=C00542902&cycle=2018>

<sup>7</sup> Matt Rhoades, Definers, <https://www.definersdc.com/matt-rhoades>

<sup>8</sup> Joe Pounder, Definers, <https://www.definersdc.com/joe-pounder>

<sup>9</sup> Brian Rogers, Definers, <https://www.definersdc.com/brian-rogers>



have different corporate forms, but we should all be clear that they are merely different parts of the same multi-faceted partisan operation. Any claim they are distinct is a sham.

What's more, America Rising and Definers receive significant funds from interests in the energy sector as well as other industries you regulate as EPA Administrator. While this cabal of Republican opposition research and electioneering organizations can raise much of its money anonymously so that the identities of many of its donors are unknown to the public, press reports about Definers' work and Federal Election Commission (FEC) disclosures from the America Rising PAC make it abundantly clear that companies you regulate are driving much of its work. Definers was hired by fossil fuel interests to work on opposing a local ballot initiative in Colorado that would have placed conditions on oil and gas drilling.<sup>10</sup> America Rising has received sizeable donations from several companies and individuals affiliated with the energy industry, including Hilcorp Energy, L.E. Simmons of SCF Partners, and Jonathon Barrett of Luminus Management LLC. It has also received donations from companies and individuals in other industries regulated by EPA, including Susan Groff of Northwest Excavating, William Kunkler of CC Industries (manufacturing), George Daniels of Daniels Manufacturing, and Jerry Langer of Langer Transport.<sup>11</sup>

Many of these same corporate interests vocally supported your nomination and confirmation as EPA Administrator. America Rising even ran a campaign in support of your confirmation as EPA Administrator which included ads urging senators to vote for your confirmation and the website, [www.ConfirmPruitt.com](http://www.ConfirmPruitt.com).<sup>12</sup> At your confirmation hearing, Senator Whitehouse asked you the following question for the record, which has renewed relevance in light of recent events:

Q 138. Please provide any correspondence or details about other communication between you or anyone working on your behalf concerning the establishment or activities of America Rising, America Rising Squared, and Protecting America Now, and any other organizations that are funding efforts to get you confirmed as EPA Administrator.

A. I am not aware of any such correspondence.

Your response was dubious then, and is even more dubious now.

The America Rising-Definers network has been no less active on your behalf following your confirmation than it was before, even putting aside this recent contract. The aforementioned Joe Pounder, president of Definers *and* America Rising, wears yet another hat in this constellation of interconnected partisan groups: he runs a website called the Need to Know Network (NTK) that has provided favorable coverage of your tenure at EPA.<sup>13</sup> EPA's official Twitter account has even on several occasions tweeted NTK's coverage of your work at EPA.

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<sup>10</sup> "FRACTURED: Undermining Broomfield," *The Colorado Independent*, <http://www.coloradoindependent.com/167431/fractured-undermining-broomfield>

<sup>11</sup> America Rising PAC Contributors (2016), Open Secrets.org, <https://www.opensecrets.org/pacs/pacgave2.php?cmte=C00542902&cycle=2016>

<sup>12</sup> "Conservatives target red-state Democrats to speed Trump's nominations," *Politico*, <https://www.politico.com/story/2016/12/trump-nominations-red-state-democrats-232890>

<sup>13</sup> "Scott Pruitt's media echo chamber," *Grist*, <http://grist.org/article/scott-pruitts-media-echo-chamber/>

As if all this weren't enough, Definers has filed several Freedom of Information Act (FOIA) requests with EPA relating to work EPA was doing under the previous administration with respect to the treatment of wood.<sup>14</sup> It would appear that Definers is working for a corporate client that has business before EPA relating to this matter. America Rising has also filed several FOIA requests with EPA.<sup>15</sup> These requests were filed by the same person who filed the FOIA requests for Definers; this person works at both Definers and America Rising.<sup>16</sup> America Rising's FOIA requests seek to obtain emails from specific EPA employees and/or correspondence between specific EPA employees and various media outlets as well as the staffs of Senators Sheldon Whitehouse, Tom Carper, Elizabeth Warren, and Robert Casey in an apparent effort to uncover "moles" within EPA.

The *New York Times* has recently documented how EPA enforcement has fallen off significantly during your tenure.<sup>17</sup> Senators Carper and Whitehouse last week raised concerns that you have changed agency policy to give regulated industries an unprecedented seat at the table in negotiations to settle lawsuits where EPA is charged with failing to follow through on its statutory commitments to enforce the Clean Air Act and other environmental laws. Hiring a public relations firm with abundant ties to industries you regulate, which is itself part of a broader network of groups active on behalf of you and fossil fuel interests, suggests that you have handed industry the keys to EPA.

None of this can come as a surprise to you. In 2015, America Rising paid to attend the Republican Attorneys General Association (RAGA) annual summit at which you spoke.<sup>18</sup> You led RAGA for two years, where you worked through RAGA to attack EPA during the Obama administration.

Your representatives have claimed that EPA's contract with Definers is for "media monitoring/newsclip compilation"<sup>19</sup> and that it was retained "at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services."<sup>20</sup> All of the above information about Definers, its activities, clients, and role within a much larger ecosystem of partisan, industry-funded operations research and electioneering groups casts significant doubt on these statements.

In light of the above and in order to shed light on EPA's decision to award this contract, we are asking that you provide the following documents and responses by Thursday, December 21.

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<sup>14</sup> EPA Pending FOIA Requests, [https://www.epa.gov/sites/production/files/2017-09/documents/all\\_pending\\_report\\_20170831.pdf](https://www.epa.gov/sites/production/files/2017-09/documents/all_pending_report_20170831.pdf)

<sup>15</sup> *Id.*

<sup>16</sup> Allan Blutstein, Definers, <https://www.definersdc.com/allan-blutstein>

<sup>17</sup> "Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers," *The New York Times*, <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

<sup>18</sup> "To Fight Clean Power Plan, Fossil Fuel Companies Paid for Private Meetings with Republican State Prosecutors," DeSmogBlog, <https://www.desmogblog.com/2016/09/07/fight-clean-power-plan-fossil-fuel-companies-paid-private-meetings-republican-state-prosecutors>

<sup>19</sup> "The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity," *Mother Jones*, <http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>

<sup>20</sup> "E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials," *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

1. Provide copies of all documents related to the procurement of services with Definers as well as the contract EPA concluded with Definers for these services.
2. What provision of the Federal Acquisition Regulation (FAR) authorized a no-bid contract for the type of services EPA procured from Definers? According to the contract transaction details posted on the [usaspending.gov](https://www.usaspending.gov) website, the reason not to put this contract out to bid was that there was “only one source – other.”<sup>21</sup> Please explain what this means when in fact there are many firms that offer the services for which EPA contracted with Definers, including the firm that previously did that work.
3. Provide copies of all communications between EPA and Definers, America Rising, America Rising Squared, NTK, and any employees and representatives of these entities since February 17, 2017.
4. Confirm that all communications you or any EPA employee have had with any person in question 3, regardless of the form of communication used, have been retained by EPA and searched in response to this inquiry.
5. Provide communications or documentation to establish that no EPA funds paid to Definers or any affiliated group have been spent for “publicity or propaganda” or a “prepackaged news story” in violation of sections 715, 718 or 731 of division E of the Consolidated Appropriations Act, 2017.
6. Provide communications or documentation to establish that no EPA funds paid to Definers or any affiliated group have been spent with the intent or the reasonable expectation that the funds would be used to make a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication in violation of section 735 of division E of the Consolidated Appropriations Act, 2017.
7. Provide all communications between EPA and the Definers – America Rising network as to and regulated entities that are also clients of or donors to Definers – America Rising. Describe and provide all communications related to EPA’s due diligence efforts to determine if any conflicts of interest existed between the agency and regulated entities that are clients of or donors to Definers – America Rising. Provide all communications to or from EPA related to Broomfield, CO, ballot initiative Question 301 this year.<sup>22</sup>
8. Provide documentation or, if not available, a narrative description of the processes and procedures in place to ensure no client or funder of Definers-America Rising or any related entity can exert improper influence over EPA enforcement proceedings or litigation.
9. Provide all communications between EPA and the Definers – America Rising – NTK network of affiliated groups relating to EPA employee communications that were requested under FOIA by anyone from the Definers – America Rising – NTK network of affiliated groups. These employees include but are not limited to Natasha Greaves,

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<sup>21</sup> Definers, USA Spending,

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>

<sup>22</sup> “FRACTURED: Undermining Broomfield,” *The Colorado Independent*, <http://www.coloradoindependent.com/167431/fractured-undermining-broomfield>

Michael Mikulka, Lucretia Meyers, Thelma Estrada, Gary Morton, Anthony Tseng, Christopher Grundler, Mike Shapiro, John Reeder, Enesta Jones, Christie St. Clair, Deborah Szaro, Michael Cox, Elizabeth Southerland, and Priscilla Oliver. In an interview with the New York Times, Allan Blutstein, a senior vice president at Definers explained that he sought this information to take aim at “resistance” figures in the federal government and to see if they had done anything useful for Republicans.<sup>23</sup> If any of these individuals have faced adverse personnel actions since February 17, 2017, please explain the nature of the action, the circumstances surrounding the action, and provide any correspondence concerning those individuals between EPA and any person affiliated with the Definers – America Rising – NTK network of affiliated groups.

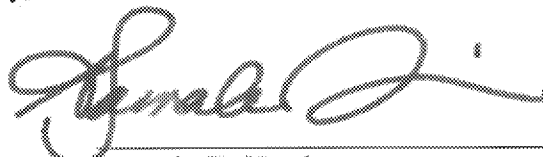
10. Explain how the facts described above – America Rising’s active financial support of your confirmation as well as your earlier political career, NTK’s favorable press coverage of your tenure at EPA, Definer’s working on behalf of regulated entities, regulated entities funding America Rising’s work – do not constitute a series of conflicts of interest. We would be particularly interested to learn why you believe that scientists who are awarded EPA grant money are conflicted while the Definers – America Rising – NTK network is not.

Should you have any questions regarding any of the information we are requesting in this letter, please do not hesitate to contact our staffers, Dan Dudis at [dan\\_dudis@whitehouse.senate.gov](mailto:dan_dudis@whitehouse.senate.gov) and Monica Pham at [monica\\_pham@harris.senate.gov](mailto:monica_pham@harris.senate.gov). We look forward to your response.

Sincerely,



Sheldon Whitehouse  
United States Senator



Kamala D. Harris  
United States Senator

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<sup>23</sup> “E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials,” *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 9/5/2018 6:34:22 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWAO2]; Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** Reschedule Preaward Team Biweekly  
**Location:** Keith's Office  
**Start:** 9/6/2018 1:30:00 PM  
**End:** 9/6/2018 2:30:00 PM  
**Show Time As:** Tentative

## PROPOSED DISCUSSION TOPICS

### I. Personnel Matters

- a. Approved re-organization
  - i. No Team Leader
  - ii. New hires
  - iii. Difference in Laboratory Supplies vs. OLEM ER/RAF/LAB
  - iv. Workload analysis data and forecasting (new higher value; volume, pace)

### II. Operational Matters

- a. OIG for Definers
- b. OPAA pre-award
- c. Execution Plan for Consolidation
- d. Incremental funding SOP and SAP SOP
- e. OASIS proof of concept
- f. Obligation requirements for IDIQ contract minimum research
- g. Preparing and organizing for new staff

### III. Administrative and Miscellaneous Matters

- a. Leave request for 09/12/2018
- b. Leadership coaching

**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 9/7/2018 1:43:11 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aeed4fb4e-KSTEWA02]; Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** Rescheduled Bi-Weekly  
**Location:** Keith's Office  
  
**Start:** 9/10/2018 2:00:00 PM  
**End:** 9/10/2018 3:00:00 PM  
**Show Time As:** Tentative

Rescheduled from 09/06/2018

## PROPOSED DISCUSSION TOPICS

### I. Personnel Matters

- a. Approved re-organization
  - i. No Team Leader
  - ii. New hires
  - iii. Difference in Laboratory Supplies vs. OLEM ER/RAF/LAB
  - iv. Workload analysis data and forecasting (new higher value; volume, pace)

### II. Operational Matters

- a. OIG for Definers
- b. OPAA pre-award
- c. Execution Plan for Consolidation
- d. Incremental funding SOP and SAP SOP
- e. OASIS proof of concept
- f. Obligation requirements for IDIQ contract minimum research
- g. Preparing and organizing for new staff

### III. Administrative and Miscellaneous Matters

- a. Leave request for 09/12/2018
- b. Leadership coaching

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/12/2018 10:42:42 AM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/10/2018 10:41:43 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 83 working days awaiting their review.



Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/10/2018 10:41:42 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 83 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/8/2018 10:41:17 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 81 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/8/2018 10:41:17 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

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Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/6/2018 10:41:24 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 79 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/6/2018 10:41:24 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 79 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/4/2018 10:40:03 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 79 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/4/2018 10:40:03 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Alert regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in Rayna Brown's inbox for 79 working days awaiting their review.

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 5/14/2018 10:44:04 PM  
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(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 85 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking <https://eas.epa.gov/>.



Appointment

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**From:** Marusak, Kirk [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9DC4F8932E3A444D86273CC554D93FA1-KMARUSAK]  
**Sent:** 1/16/2018 7:12:28 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**CC:** KHATRI, KUSH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8c58931f7d4e481fb24f8066a9d151ae-Kkhatri]; Long, Brian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=407d44c1093a44a5bbae2585b237a583-Blong02]  
**Subject:** Accepted: Discuss Multiple FOIA Requests and Extension for Definers, Inc.  
**Location:** Rayna's Office  
**Start:** 1/16/2018 7:20:00 PM  
**End:** 1/16/2018 7:35:00 PM  
**Show Time As:** Busy

Hi, Rayna,

We might need more time to discuss these 10 FOIA requests, but I will be in your office at 2:20 pm. Thank you.

Kirk

Message

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**From:** EAS.System@epamail.epa.gov [EAS.System@epamail.epa.gov]  
**Sent:** 1/11/2018 6:30:40 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** EAS Document Notification: For your review-Award: Media Monitoring Services (EP-18-H-000025)

Award: EP-18-H-000025 is ready for your review in EAS.  
You may access the document at <https://eas.epa.gov/>  
Project Title: Media Monitoring Services  
Modification: P00002  
Description: Purchase Order Title: News Analysis Service

The purpose of modification no. P00001 is to terminate for convenience and cancel this purchase order in its entirety and to de-obligate funds. The purpose of this purchase order is to provide news analysis and brief service focusing on the Environmental Protection Agency (EPA) work and other topics of interest to EPA.

Owner: Donna Dews  
Requisitioner: Javier Araujo  
Technical Point of Contact: Michael Quarles  
Buyer: Rayna Brown  
Contracting Officer: Rayna Brown  
Contracting Officer Representative: Michael Quarles  
Site: HPOD/PCSC  
Originating Office: HPOD  
Issuing Office: HPOD  
Admin Office: HPOD

Message

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**From:** Dews, Donna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD99DF2C6FE486496B3B06EAA87F987-DEWS, DONNA]  
**Sent:** 12/21/2017 8:42:49 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** Automatic reply: PO\_EP18H000025\_1\_HQ [URGENT]

Telework 12/22/17 compressed day 12/26-1/2/18 return on 1/3/18.

Message

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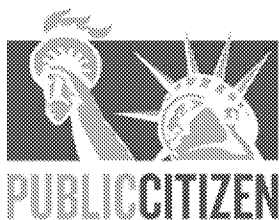
**From:** McGraw, Sara [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=075D70351DE24BCEA1AE2FCB51CD7799-SMCGRAW]  
**Sent:** 12/20/2017 1:24:00 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** Notice of Corrective Action  
**Attachments:** Notice of Corrective Action.doc

Good Morning,

Attached is what I intend to file with GAO. Please review and let me know if you concur.

Best,

Sara



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • [www.citizen.org](http://www.citizen.org)

December 18, 2017

Government Accountability Office  
General Counsel  
Attn.: Procurement Law Control Group  
441 G Street, NW.  
Washington, DC 20548

Sent via email to: [protests@gao.gov](mailto:protests@gao.gov)

To the Government Accountability Office:

I am writing on behalf of Fenton Communications and New Heights Communications to protest Environmental Protection Agency (EPA) contract EP18H000025, awarded on December 7, 2017 to Definers Corp.. This grant was awarded on a no-solicitation basis, even though the services sought are industry standard and could be performed by dozens of firms and organizations, including Fenton Communications and New Heights Communications. We are seeking a finding that the contract was impermissibly awarded on a no-bid basis, and a recommendation that the December 7 contract be rescinded and an open bidding process undertaken.

### **The Protesting Firms**

Fenton Communication is a 35-year old full-service communications agency with offices in Washington, D.C., New York, Los Angeles and San Francisco, with more than 45 staff serving a diverse array of clients. Among the many services Fenton provides, it routinely collects news clips and provides analysis of media coverage of its clients. Fenton has performed government contracts in the past, but does not currently. Fenton provides the services covered by EPA contract EP18H000025, so far as it can be determined what the contract involves, would have offered a bid if it had been solicited, and would bid for the contract if an open-bid process were to be held. Fenton Communications is an interested party for the purpose of filing a protest to contract EP18H000025.

New Heights Communications is a communications agency based in Washington, D.C. Among the many services New Heights Communications provides, it routinely collects news clips and provides analysis of media coverage of its clients. New Heights Communications has previously performed as a government subcontractor. New Heights Communications provides the services covered by EPA contract EP18H000025, so far as it can be determined what the contract involves, would have offered a bid if it had been solicited, and would bid for the contract if an open-bid process were to be held. New Heights Communications is an interested party for the purpose of filing a protest to contract EP18H000025.

## Basis for Protest

On December 7, 2017, the EPA awarded contract EP18H000025 to Definers Corp. for \$125,000.<sup>1</sup> The contract description states the contract is awarded for: “NEWS ANALYSIS AND BRIEF SERVICE FOCUSING ON EPA WORK AND OTHER TOPICS OF INTEREST TO EPA.”<sup>2</sup> The contract was not competed.<sup>3</sup> EPA noticed on November 29 that it planned to issue the contract on a sole-source basis with a similarly obscure contract synopsis that did not plainly describe the services sought: “Sole Source Notification for News analysis and brief service focusing on EPA work and other topics of interest to EPA.”<sup>4</sup>

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All of these factors point to a single conclusion: Contract EP18H000025 should have been open to competitive bidding, or at minimum should have been awarded only after solicitation of at least three sources. The competition information provided at USASpending.gov states that the rationale for sole sourcing is that only one source is available.<sup>15</sup> This is plainly implausible. The desired service – assuming per media reports that it involves news clippings and is comparable to the predecessor contract – is highly competitive and there are many responsible sources that could provide the service. These include Fenton Communications, New Heights Communications, presumably the eight bidders for the predecessor contract, and literally dozens of other firms. It also would be unreasonable to assert urgent conditions necessitating sole-source contracting; the need for news clips is not a new development for EPA and indeed the agency had previously contracting for similar services. The only conceivable urgency is expiration of the prior contract. But if that contract was not extended, it should have expired nine months prior. At any point during that time or prior to expiration, the agency could have rebid the contract; and in general, agencies may not create urgent conditions by dint of failure to plan properly. Moreover, if the agency had gone approximately nine months without provision of the service, that suggests a lack of urgency and that EPA could have delayed weeks more for a properly bid contract. Past experience also counsels for competitive bidding: the predecessor contract was successfully bid competitively.

In light of the known facts, there is no public interest in a sole-source contract; in fact, this appears to a prototypical example of the need for competitive bidding. The agency is seeking a service that can be easily provided by dozens of firms; and the award of the contract on a sole-source basis suggests or at minimum creates the appearance that the public interest in competitive bidding is being thwarted and a contract allocated improperly to a politically connected firm.

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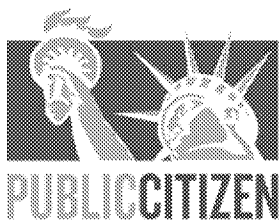
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Sincerely,



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December 18, 2017

Government Accountability Office  
General Counsel  
Attn.: Procurement Law Control Group  
441 G Street, NW.  
Washington, DC 20548

Sent via email to: [protests@gao.gov](mailto:protests@gao.gov)

To the Government Accountability Office:

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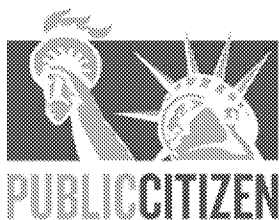
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## MEMORANDUM TO FILE

DATE: December 19, 2017

FROM: Rayna Brown  
Service Center Manager (SCM), Contracting Officer  
EPA/OAM/HPOD/PCSC



TO: Modification No. P00001 to Purchase Order No. EP-18-H-000025 File

SUBJECT: Explanation of Modification No. P00001 Termination for the Government's Convenience  
Contractor: Definers Corp

TASK ORDER TITLE: News Analysis and Brief Service Focusing on EPA Work and Other Topics of Interest to  
EPA

### I. PURPOSE

The purpose of the memorandum to file is explain the facts that resulted in a termination for convenience through modification no. P00001 to purchase order EP-18-H-000025.

### II. BACKGROUND

On December 7, 2017, a new purchase order EP-18-H-000025 was awarded to Definers Corp. in the firm-fixed-price amount of \$125,000.00 for news analysis and brief service focusing on EPA work and other topics of interest to EPA on a sole source basis. On December 18, 2017 two (2) protests were filed with the Government Accountability Office (GAO) under case numbers B-415800-1 and B-415800-2. The Agency Advocate for Competition (AAC) and the Agency's Office of General Counsel (OGC) provided notification of the protest on December 19, 2017.

After consultation with OGC, the AAC, the Contracting Officer (CO) of record for the award, and internal management, it was concluded that corrective action to the protest is required. A stay of performance will not be pursued.

#### Termination for Convenience

As required by FAR Subpart 33.103(f)(3), the "contracting officer shall immediately suspend performance, pending resolution of the protest within the Agency." Therefore, a full termination pursuant to the purchase order's terms and conditions that contained the FAR 52.212-4 Contract Terms and Conditions—Commercial Items clause was used as the unilateral authority of the Government. Prior to terminating, the program office/Champion were advised that there could be some costs that arise from the termination pursuant to the Contractor's rights under FAR 52.212-4. At such time the Contractor exerts its rights under the purchase order terms and conditions and presents costs for reimbursement, the Contracting Officer (CO) will determine if the costs are allowable, reasonable and could not have otherwise been mitigated.

## **Funding**

As a part of the termination, the purchase order was fully terminated (cancelled) and all funds used to fully fund this severable services FFP order with FY 2017/2018 funds using requisition no. PR-OA-17-00132 was fully de-obligated as there was no requirement to justify a bona fide need. In the event there are termination costs or any other appropriate costs allowed pursuant to the FAR 52.22-4 Contract Terms and Conditions—Commercial Items section (l) Termination for the Government's convenience arise out of the Contractor's assertions of rights and/or per FAR Subpart 33.102(b), then funds will be obligated accordingly.

Confirmed in Compass Data Warehouse (CDW) that funds were still available.

## **Other Relevant Matters**

When preparing the modification, the EAS system feature that allows you to designate if the action/modification will be unilateral (not requiring a contractor's signature) or bilateral (requiring a contractor's signature) was not functioning properly. Meaning, that the generated, printed modification displays the opposite of what is selected in the system. Therefore, since I selected in EAS that no contractor signature is required (unilateral modification), EAS generated the modification indicating a contractor is required. I proceeded to correct the document and sign it external to EAS. The actual distributed modification is attached for the record. This EAS glitch is recorded via a help desk ticket no. 154978 and will explain the discrepancy between the system selection and the EAS generated modification with the EAS generated CO signature.

## **III. CONTRACTING OFFICER DETERMINATION**

Based on the facts and circumstances herein, it is my determination that the action, is in the best interest of the Government. My conclusion is this modification was in the best interest of the Government and was properly executed based on authority and intent. All other aspects of the action are self-explanatory.

### **Attachments (5):**

- (1) December 18, 2017 GAO Protest Case No. B-415800-1
- (2) December 18, 2017 GAO Protest Case B-415800-2
- (3) December 20, 2017 Agency Response to Take Corrective Action
- (4) EAS Help Desk Ticket No. 154978
- (5) Requisition No. PR-OA-17-00132

Cc: EAS Supporting Documents (electronically attached)

  
**Reports &  
Testimonies****Bid Protests &  
Appropriations  
Law****Key  
Issues****About  
GAO****Career**

## GAO Bid Protest Docket

**Protestor:** Fenton Communications**Agency:** Environmental Protection Agency**File Number:** B-415800.1 **Outcome:** Dismissed **Date Decided:** Dec 21, 2017**Filed Date:** Dec 18, 2017**Due Date:** Mar 28, 2018**Case Type:** Bid Protest**GAO Attorney:** Scott H. Riback

### More Bid Protest Options

- Search Bid Protest Decisions and the Docket
- Learn about the Bid Protest Process
- See Frequently Asked Questions About Bid Protests

  
**Reports &  
Testimonies****Bid Protests &  
Appropriations  
Law****Key  
Issues****About  
GAO****Career**

## GAO Bid Protest Docket

**Protestor:** New Heights Communications**Agency:** Environmental Protection Agency**File Number:** B-415800.2 **Outcome:** Dismissed **Date Decided:** Dec 21, 2017**Filed Date:** Dec 18, 2017**Due Date:** Mar 28, 2018**Case Type:** Bid Protest**GAO Attorney:** Scott H. Riback

### More Bid Protest Options

- Search Bid Protest Decisions and the Docket
- Learn about the Bid Protest Process
- See Frequently Asked Questions About Bid Protests



## Decision

**Matter of:** Fenton Communications; New Heights Communications

**File:** B-415800; B-415800.2

**Date:** December 21, 2017

---

### DECISION

Fenton Communications and New Heights Communications protest the award of contract No. EP18H000025 for news clipping services to Definers Corporation by the Environmental Protection Agency. The protesters contend that the agency improperly awarded the subject contract on a sole-source basis.

Subsequent to the filing of this protest, the agency notified our Office that it is terminating the awarded contract. When an agency terminates an awardee's contract, the agency's action renders a protest academic. We do not consider academic protests. Ferris Optical, B-403012.2, B-403012.3, Oct. 21, 2010, 2010 CPD ¶ 265 at 1-2.

The protests are dismissed.

Thomas H. Armstrong  
General Counsel

## Brown, Rayna

---

**From:** Brown, Rayna  
**Sent:** Wednesday, December 20, 2017 9:59 AM  
**To:** McGraw, Sara  
**Subject:** CO Concurrence >> RE: Notice of Corrective Action  
**Attachments:** EPA Definers Page 2 signed.pdf

Hello Sara,

I concur and confirm that the statements are factual. Here's the contractor signed termination modification for the record. Thanks and please let me know if you require anything else. Have a great day and we appreciate your legal support! ☺

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

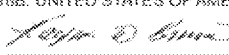
**From:** McGraw, Sara  
**Sent:** Wednesday, December 20, 2017 8:24 AM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Subject:** Notice of Corrective Action

Good Morning,

Attached is what I intend to file with GAO. Please review and let me know if you concur.

Best,

Sara

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES	
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (if applicable)	
P00001		12/19/2017		PR-OA-17-00132			
6. ISSUED BY		CODE		7. ADMINISTERED BY (if other than item 6)		CODE	
HPOD							
HPOD US Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, N. W. Mail Code: 3803R Washington DC 20460							
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(x) 9A. AMENDMENT OF SOLICITATION NO.  9B. DATED (SEE ITEM 11)			
DEFINERS CORP Attn: Julia Cotrone 1500 Wilson Blvd #5 Arlington VA 22209				x 10A. MODIFICATION OF CONTRACT/ORDER NO. EP-18-R-000025			
CODE 076234313 FACILITY CODE				10B. DATED (SEE ITEM 12) 12/07/2017			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. <input type="checkbox"/> is extended. <input type="checkbox"/> is not extended.							
12. ACCOUNTING AND APPROPRIATION DATA (if required)				Net Decrease: -\$120,000.00 See Schedule			
13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).						
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
X	D. OTHER (Specify type of modification and authority) Unilateral Modification: FAR 52.212-4 (1) Termination for the Government's convenience (Full Termination)						
<b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not. <input checked="" type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible)							
DUNS Number: 076234313 The purpose of this unilateral modification is as follows:  (1) Unilaterally execute a full termination for convenience in accordance with the Federal Acquisition Regulation (FAR) 52.212-4 (1); (2) Serves as a Notice of Termination to the Contractor effective December 19, 2017; (3) De-obligate \$120,000.00 from this order; (4) Convey the extent of this full termination for convenience is for all services and contract line item numbers (CLINs) under this order and hereby terminating this firm-fixed-priced order in its entirety; (5) Change the total obligation amount from \$120,000.00 to \$0.00; Continued ...							
Except as provided herein, all terms and conditions of the document referenced in item 9 A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				Rayna Brown			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				 (Signature of Contracting Officer)		ELECTRONIC SIGNATURE 12/19/2017	
NSN 7540-01-152-8070 Previous edition unusable				STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243			

CONTINUATION SHEET	REFERENCE NO. OF DOCUMENT BEING CONTINUED	PAGE	OF
	EP-19-R-000025/P00001	2	7

NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>(6) Change the total firm-fixed-price from \$120,000.00 to \$0.00;</p> <p>(7) Change the Administrative Contracting Officer; and</p> <p>(8) Instruct the Contractor to acknowledge receipt of this modification and termination by completing, signing, dating and returning this modification.</p> <p>Other Authorities for this Standard Form (SF) 30 Block 13: Administrative change as item (7) is considered an administrative changes that does not affect the substantive rights of the parties and item (8) is associated with an acknowledgement of this action.</p> <p>This order is hereby terminated and cancelled in its entirety.</p> <p>The Contractor hereby acknowledges receipt of this termination by signing below and shall immediately proceed with the following obligations pursuant to the Federal Acquisition Regulation (FAR) 52.212-4 Contract Terms and Conditions; Commercial Items clause (i) Termination for the Government's convenience:</p> <p><u>JOSEPH BOUNDER, PRESIDENT</u> Print Name &amp; Title of Authorized Representative</p> <p><u>[Signature]</u> Signature</p> <p><u>12/19/17</u> Date</p> <p>All other terms and conditions remains unchanged and in full force and effect. Max Expire Date: 12/19/2017</p> <p>LIST OF CHANGES: Reason for Modification: Terminate for Convenience (complete or partial)</p> <p>Period Of Performance End Date changed from <del>06-DEC-18</del> to 19-DEC-17</p> <p>Total Amount for this Modification: -\$120,000.00 New Total Amount for this Version: \$0.00 Continued ...</p>				

NSN 7540-01-182-8087

OPTIONAL FORM 330 (4-88)  
Sponsored by GSA  
FAR 101 CFR 101-11.6



## CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
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7NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>New Total Amount for this Award: \$0.00 Obligated Amount for this Modification: -\$120,000.00 New Total Obligated Amount for this Award: \$0.00</p> <p>Contracting Officer changed from Jessica Wilson to Rayna Brown Administrative Contracting Officer changed from Elaine Scott to Rayna Brown</p> <p>Maximum Potential Expiration Date changed to: 12/19/2017 CHANGES FOR LINE ITEM NUMBER: 1 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA for console customization, twice daily clip packages &amp; breaking news alerts, analyst support and access and console maintenance for EPA data based on clip volume to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA for console customization, twice daily clip packages &amp; breaking news alerts, analyst support and access and console maintenance for EPA data based on clip volume</p> <p>Total Amount changed from \$20,000.00 to \$0.00 Obligated Amount for this modification: -\$20,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$20,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11H-ZZZME8-2504-1711H71040-001 Amount changed from \$20,000.00 to \$0.00</p> <p>CHANGES FOR LINE ITEM NUMBER: 2 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>Continued ...</p>				

## CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
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4 7NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-101A46-2504-1711H71040-003 Amount changed from \$15,000.00 to \$0.00  CHANGES FOR LINE ITEM NUMBER: 3 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-202BD4-2504-1711H71040-004 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0  CHANGES FOR LINE ITEM NUMBER: 4 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Total Amount changed from \$5,000.00 to \$0.00 Obligated Amount for this modification: -\$5,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$5,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-301ME9-2504-1711H71040-005 Amount changed from \$5,000.00 to \$0.00 Percent changed from 100 to 0  CHANGES FOR LINE ITEM NUMBER: 5 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to Continued ...				

## CONTINUATION SHEET

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OF

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7

NAME OF OFFEROR OR CONTRACTOR

DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-303D99-2504-1711H71040-006 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 6 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-401CD6-2504-1711H71040-007 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 7 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$12,000.00 to \$0.00 Obligated Amount for this modification: -\$12,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$12,000.00 to \$0.00</p> <p>Continued ...</p>				

## CONTINUATION SHEET

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NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-501E44-2504-1711H71040-008 Amount changed from \$12,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 8 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$5,000.00 to \$0.00 Obligated Amount for this modification: -\$5,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$5,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-ZZZHFS-2504-1711H71040-009 Amount changed from \$5,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 9 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA. Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-C-11-101FK6XN1-2504-1711H71040-010 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 10 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA. Continued ...</p>				

## CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED  
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NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Total Amount changed from \$3,000.00 to \$0.00 Obligated Amount for this modification: -\$3,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$3,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-T-11-501E52-2504-1711H71040-002 Amount changed from \$3,000.00 to \$0.00 Percent changed from 100 to 0  Payment: RTP Finance Center US Environmental Protection Agency RTP-Finance Center (AA216-01) 109 TW Alexander Drive www2.epa.gov/financial/contracts Durham NC 27711 FOB: Destination Period of Performance: 12/07/2017 to 12/19/2017				

**Brown, Rayna**

---

**From:** McGraw, Sara  
**Sent:** Wednesday, December 20, 2017 8:24 AM  
**To:** Brown, Rayna  
**Subject:** Notice of Corrective Action  
**Attachments:** Notice of Corrective Action.doc

Good Morning,

Attached is what I intend to file with GAO. Please review and let me know if you concur.

Best,

Sara



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON D.C., 20460

OFFICE OF GENERAL COUNSEL

December 20, 2017

Scott Riback, Esq.  
Government Accountability Office  
Attn: Procurement Law Control Group  
411 G Street, N.W.  
Washington, D.C. 20548

RE: Protest of Fenton Communications  
Under Solicitation No. EP18H000025  
B-415800.1  
Notice of Corrective Action

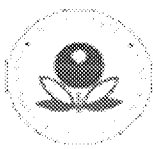
Dear Mr. Riback:

The U.S. Environmental Protection Agency (Agency) has carefully reviewed the issues raised in the Fenton Communication (Fenton) protest. EPA has taken corrective action by terminating the award. Because the aforementioned corrective action renders Fenton's pending protest moot, Fenton's protest should be dismissed.

Respectfully Submitted,

Sara E. McGraw  
Attorney-Advisor  
Office of General Counsel  
U.S. Environmental Protection Agency

cc via email: David J. Arkush, Esq., Public Citizen, [darkush@citizen.org](mailto:darkush@citizen.org)



## OAM Service Desk

**Ticket #:** 154978

**Submitted by:** DAVID BERNHARDT

**Created:** Dec 19, 2017 3:25:39 PM

**Modified:** Dec 19, 2017 3:25:39 PM

**Resolved:** Dec 19, 2017 3:25:39 PM

### Contact Information

<b>Contact</b>	Rayna Brown	<b>Email</b>	brown.rayna@epa.gov
<b>Phone</b>	202-564-6025	<b>Address</b>	
<b>Contact Number (OID)</b>			

### Ticket Info

<b>Location</b>	Washington DC	<b>Priority</b>	Low
<b>Group</b>	OAM - Acquisition Systems Support	<b>Status</b>	Closed
<b>Category</b>	EAS		
<b>Category Option</b>	Award		
<b>Assignment</b>	DAVID BERNHARDT	<b>Asset</b>	
		<b>Asset #</b>	

### Custom Fields

<b>Program Office / OAM Division</b>	OAM - Headquarters Procurement Operations Division (HPOD)	<b>L3 Support Ticket #</b>	
<b>SCR #</b>			

### Description

<b>Subject</b>	SF-30 Block 13E Functionality
<b>CC</b>	
<b>Note</b>	<p>Hello Rayna,</p> <p>Per our conversation on block 13E of the SF-30, this issue already has a software change request entered with our L3 Support Team. The issue resolution is being tracked via OAM Service Desk ticket number 147493.</p> <p>Thank you!</p> <p>David Bernhardt Contractor, EAS Help Desk Compusearch Software Systems, Inc EAS Service Desk: 202-564-2327 &lt;<a href="http://oamservicedesk.epa.gov:8080/ehelpdesk/login.glml">http://oamservicedesk.epa.gov:8080/ehelpdesk/login.glml</a>&gt; To learn more about EAS, visit the EAS Resource Center &lt;<a href="http://easinfo.epa.gov/?q=eas-resource-center">http://easinfo.epa.gov/?q=eas-resource-center</a>&gt;</p>
<b>Attachments</b>	This ticket contains no attachments

### Sub-Tickets

No sub-tickets



**History Comments***No comments***Survey Results***Survey not submitted***Ticket Audit**

Field Name	From	To	On	By
Ticket Created			Dec 19, 2017 3:25:39 PM	dbernhar

<h1 style="margin: 0;">REQUISITION</h1>					PROCUREMENT REQUEST NO. PR-OA-17-00132	
1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT George Hull/202-564-0790					REQUISITION DATE 07/07/2017	
3. ORIGINATING OFFICE DATA HPOD					2. TYPE OF REQUEST (Check one) A <input checked="" type="checkbox"/> NEW REQUEST B <input type="checkbox"/> CHANGE TO PENDING PR NO. _____ C <input type="checkbox"/> MODIFICATION TO CONTRACT OR ORDER NO. _____	
4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)					6. CONSIGNEE AND DESTINATION HPOD US Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, N. W. Mail Code: 3803R Washington DC 20460	
5. APPROVALS					7. DATE(S) REQUIRED	
APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING		8. GOVERNMENT FURNISHED PROPERTY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "yes," see pgs. 8 of instructions on next page.)	
(1) AUTHORIZED REQUISITIONER Javier Araujo	OA	07/21/2017	INITIALS (D)	ROUTING SYMBOL (E)		
(2) Financial Interface	COTS	07/21/2017				
(3) Mardiko Ellison	OA	07/21/2017				
(4) George Hull	OA	07/21/2017				
9. DESCRIPTION OF ITEMS OR SERVICES						
ITEM NO. (A)	ITEM OR SERVICE (include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST		
				UNIT (E)	AMOUNT (F)	
0001	Brand Name: N Rec Proc Method: SOLE SOURCE FOB: Destination Period of Performance: 07/07/2017 to 07/07/2018  News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11H-ZZZME8-2504-1711H71040-001 BFY: 17 EFY: 18 Fund: B Budget Org: 11H Program (PRC): ZZZME8 Budget (BOC): 2504 DCN - Line ID: 1711H71040-001 Funded: \$20,000.00					20,000.00
0002	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-101A46-2504-1711H71040-003 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 101A46 Budget (BOC): 2504 DCN - Line ID: 1711H71040-003 Continued ...					15,000.00
				TOTAL ESTIMATED COST \$120,000.00		
10. ACCOUNTING DATA See Schedule						

ITEM NO. (A)	ITEM OR SERVICE (include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	Funded: \$15,000.00				
0003	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-202BD4-2504-1711H71040-004 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 202BD4 Budget (BOC): 2504 DCN - Line ID: 1711H71040-004 Funded: \$15,000.00				15,000.00
0004	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-301ME9-2504-1711H71040-005 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 301ME9 Budget (BOC): 2504 DCN - Line ID: 1711H71040-005 Funded: \$5,000.00				5,000.00
0005	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-303D99-2504-1711H71040-006 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 303D99 Budget (BOC): 2504 DCN - Line ID: 1711H71040-006 Funded: \$15,000.00				15,000.00
0006	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-401CD6-2504-1711H71040-007 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 401CD6 Budget (BOC): 2504 DCN - Line ID: 1711H71040-007 Funded: \$15,000.00				15,000.00
0007	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-501E44-2504-1711H71040-008 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 501E44 Budget (BOC): 2504 DCN - Line ID: 1711H71040-008 Continued ...				12,000.00

Delivery Report

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**From:** Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]  
**Sent:** 9/7/2018 1:22:15 PM  
**To:** Stewart, Keith [Stewart.Keith@epa.gov]  
**Subject:** Delivered: RESPONSE/SUBMISSION >> RE: Requested documents  
**Attachments:** RESPONSE/SUBMISSION >> RE: Requested documents

Your message

**To:** Smith, Michael  
**CC:** Stewart, Keith; Vaughn, Celia  
**Subject:** RESPONSE/SUBMISSION >> RE: Requested documents  
**Sent:** 9/7/2018 1:22:11 PM

**Your message has been delivered to the following recipients:**

Stewart, Keith (Stewart.Keith@epa.gov)

Subject: RESPONSE/SUBMISSION >> RE: Requested documents

Delivery Report

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**From:** Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]  
**Sent:** 9/7/2018 1:22:15 PM  
**To:** brown.rayna@epa.gov  
**Subject:** Delivered: RESPONSE/SUBMISSION >> RE: Requested documents  
**Attachments:** RESPONSE/SUBMISSION >> RE: Requested documents

Your message

**To:** Smith, Michael  
**CC:** Stewart, Keith; Vaughn, Celia  
**Subject:** RESPONSE/SUBMISSION >> RE: Requested documents  
**Sent:** 9/7/2018 1:22:11 PM

**Your message has been delivered to the following recipients:**

[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)

Subject: RESPONSE/SUBMISSION >> RE: Requested documents

## MEMORANDUM TO FILE

DATE: December 19, 2017

FROM: Rayna Brown  
Service Center Manager (SCM), Contracting Officer  
EPA/OAM/HPOD/PCSC



TO: Modification No. P00001 to Purchase Order No. EP-18-H-000025 File

SUBJECT: Explanation of Modification No. P00001 Termination for the Government's Convenience  
Contractor: Definers Corp

TASK ORDER TITLE: News Analysis and Brief Service Focusing on EPA Work and Other Topics of Interest to EPA

### I. PURPOSE

The purpose of the memorandum to file is explain the facts that resulted in a termination for convenience through modification no. P00001 to purchase order EP-18-H-000025.

### II. BACKGROUND

On December 7, 2017, a new purchase order EP-18-H-000025 was awarded to Definers Corp. in the firm-fixed-price amount of \$125,000.00 for news analysis and brief service focusing on EPA work and other topics of interest to EPA on a sole source basis. On December 18, 2017 two (2) protests were filed with the Government Accountability Office (GAO) under case numbers B-415800-1 and B-415800-2. The Agency Advocate for Competition (AAC) and the Agency's Office of General Counsel (OGC) provided notification of the protest on December 19, 2017.

After consultation with OGC, the AAC, the Contracting Officer (CO) of record for the award, and internal management, it was concluded that corrective action to the protest is required. A stay of performance will not be pursued.

#### Termination for Convenience

As required by FAR Subpart 33.103(f)(3), the "contracting officer shall immediately suspend performance, pending resolution of the protest within the Agency." Therefore, a full termination pursuant to the purchase order's terms and conditions that contained the FAR 52.212-4 Contract Terms and Conditions—Commercial Items clause was used as the unilateral authority of the Government. Prior to terminating, the program office/Champion were advised that there could be some costs that arise from the termination pursuant to the Contractor's rights under FAR 52.212-4. At such time the Contractor exerts its rights under the purchase order terms and conditions and presents costs for reimbursement, the Contracting Officer (CO) will determine if the costs are allowable, reasonable and could not have otherwise been mitigated.

## **Funding**

As a part of the termination, the purchase order was fully terminated (cancelled) and all funds used to fully fund this severable services FFP order with FY 2017/2018 funds using requisition no. PR-OA-17-00132 was fully de-obligated as there was no requirement to justify a bona fide need. In the event there are termination costs or any other appropriate costs allowed pursuant to the FAR 52.22-4 Contract Terms and Conditions—Commercial Items section (l) Termination for the Government's convenience arise out of the Contractor's assertions of rights and/or per FAR Subpart 33.102(b), then funds will be obligated accordingly.

Confirmed in Compass Data Warehouse (CDW) that funds were still available.

## **Other Relevant Matters**

When preparing the modification, the EAS system feature that allows you to designate if the action/modification will be unilateral (not requiring a contractor's signature) or bilateral (requiring a contractor's signature) was not functioning properly. Meaning, that the generated, printed modification displays the opposite of what is selected in the system. Therefore, since I selected in EAS that no contractor signature is required (unilateral modification), EAS generated the modification indicating a contractor is required. I proceeded to correct the document and sign it external to EAS. The actual distributed modification is attached for the record. This EAS glitch is recorded via a help desk ticket no. 154978 and will explain the discrepancy between the system selection and the EAS generated modification with the EAS generated CO signature.

## **III. CONTRACTING OFFICER DETERMINATION**

Based on the facts and circumstances herein, it is my determination that the action, is in the best interest of the Government. My conclusion is this modification was in the best interest of the Government and was properly executed based on authority and intent. All other aspects of the action are self-explanatory.

### **Attachments (5):**

- (1) December 18, 2017 GAO Protest Case No. B-415800-1
- (2) December 18, 2017 GAO Protest Case B-415800-2
- (3) December 20, 2017 Agency Response to Take Corrective Action
- (4) EAS Help Desk Ticket No. 154978
- (5) Requisition No. PR-OA-17-00132

Cc: EAS Supporting Documents (electronically attached)

**Reports &  
Testimonies**

**Bid Protests &  
Appropriations  
Law**

**Key  
Issues**

**About  
GAO**

**Career**

## **GAO Bid Protest Docket**

**Protestor:** Fenton Communications

**Agency:** Environmental Protection Agency

**File Number:** B-415800.1 **Outcome:** Dismissed **Date Decided:** Dec 21, 2017

**Filed Date:** Dec 18, 2017

**Due Date:** Mar 28, 2018

**Case Type:** Bid Protest

**GAO Attorney:** Scott H. Riback

### **More Bid Protest Options**

- Search Bid Protest Decisions and the Docket
- Learn about the Bid Protest Process
- See Frequently Asked Questions About Bid Protests



  
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TestimoniesBid Protests &  
Appropriations  
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## GAO Bid Protest Docket

**Protestor:** New Heights Communications**Agency:** Environmental Protection Agency**File Number:** B-415800.2 **Outcome:** Dismissed **Date Decided:** Dec 21, 2017**Filed Date:** Dec 18, 2017**Due Date:** Mar 28, 2018**Case Type:** Bid Protest**GAO Attorney:** Scott H. Riback

### More Bid Protest Options

- Search Bid Protest Decisions and the Docket
- Learn about the Bid Protest Process
- See Frequently Asked Questions About Bid Protests



## Decision

**Matter of:** Fenton Communications; New Heights Communications

**File:** B-415800; B-415800.2

**Date:** December 21, 2017

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### DECISION

Fenton Communications and New Heights Communications protest the award of contract No. EP18H000025 for news clipping services to Definers Corporation by the Environmental Protection Agency. The protesters contend that the agency improperly awarded the subject contract on a sole-source basis.

Subsequent to the filing of this protest, the agency notified our Office that it is terminating the awarded contract. When an agency terminates an awardee's contract, the agency's action renders a protest academic. We do not consider academic protests. Ferris Optical, B-403012.2, B-403012.3, Oct. 21, 2010, 2010 CPD ¶ 265 at 1-2.

The protests are dismissed.

Thomas H. Armstrong  
General Counsel

## Brown, Rayna

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**From:** Brown, Rayna  
**Sent:** Wednesday, December 20, 2017 9:59 AM  
**To:** McGraw, Sara  
**Subject:** CO Concurrence >> RE: Notice of Corrective Action  
**Attachments:** EPA Definers Page 2 signed.pdf

Hello Sara,

I concur and confirm that the statements are factual. Here's the contractor signed termination modification for the record. Thanks and please let me know if you require anything else. Have a great day and we appreciate your legal support! ☺

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

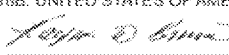
**From:** McGraw, Sara  
**Sent:** Wednesday, December 20, 2017 8:24 AM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Subject:** Notice of Corrective Action

Good Morning,

Attached is what I intend to file with GAO. Please review and let me know if you concur.

Best,

Sara

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES 1 7											
2. AMENDMENT/MODIFICATION NO. P00001		3. EFFECTIVE DATE 12/19/2017		4. REQUISITION/PURCHASE REQ. NO. PR-OA-17-00132		5. PROJECT NO. (if applicable)											
6. ISSUED BY HPOD US Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, N. W. Mail Code: 3803R Washington DC 20460		CODE HPOD		7. ADMINISTERED BY (if other than item 6)  CODE													
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  DEFINERS CORP Attn: Julia Cotrone 1500 Wilson Blvd #5 Arlington VA 22209  CODE 076234313 FACILITY CODE				(x) 9A. AMENDMENT OF SOLICITATION NO.													
				9B. DATED (SEE ITEM 11)													
				(x) 10A. MODIFICATION OF CONTRACT/ORDER NO. EP-18-R-000025													
				10B. DATED (SEE ITEM 12) 12/07/2017													
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS																	
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. <input type="checkbox"/> is extended. <input type="checkbox"/> is not extended.																	
12. ACCOUNTING AND APPROPRIATION DATA (if required) See Schedule				Net Decrease:		-\$120,000.00											
13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.																	
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">CHECK ONE</td> <td>A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.</td> </tr> <tr> <td></td> <td>B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).</td> </tr> <tr> <td></td> <td>C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:</td> </tr> <tr> <td></td> <td>D. OTHER (Specify type of modification and authority)</td> </tr> <tr> <td>X</td> <td>Unilateral Modification: FAR 52.212-4 (1) Termination for the Government's convenience (Full Termination)</td> </tr> </table>								CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.		B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).		C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:		D. OTHER (Specify type of modification and authority)	X	Unilateral Modification: FAR 52.212-4 (1) Termination for the Government's convenience (Full Termination)
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.																
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).																
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:																
	D. OTHER (Specify type of modification and authority)																
X	Unilateral Modification: FAR 52.212-4 (1) Termination for the Government's convenience (Full Termination)																
<b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not. <input checked="" type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.																	
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)																	
DUNS Number: 076234313 The purpose of this unilateral modification is as follows:  (1) Unilaterally execute a full termination for convenience in accordance with the Federal Acquisition Regulation (FAR) 52.212-4 (1); (2) Serves as a Notice of Termination to the Contractor effective December 19, 2017; (3) De-obligate \$120,000.00 from this order; (4) Convey the extent of this full termination for convenience is for all services and contract line item numbers (CLINs) under this order and hereby terminating this firm-fixed-priced order in its entirety; (5) Change the total obligation amount from \$120,000.00 to \$0.00; Continued ...																	
Except as provided herein, all terms and conditions of the document referenced in item 9 A or 10A, as heretofore changed, remains unchanged and in full force and effect.																	
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)													
				Rayna Brown													
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED											
(Signature of person authorized to sign)				 (Signature of Contracting Officer)		ELECTRONIC SIGNATURE 12/19/2017											
NSN 7540-01-152-8070 Previous edition unusable				STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243													

CONTINUATION SHEET	REFERENCE NO. OF DOCUMENT BEING CONTINUED	PAGE	OF
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NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>(6) Change the total firm-fixed-price from \$120,000.00 to \$0.00;</p> <p>(7) Change the Administrative Contracting Officer; and</p> <p>(8) Instruct the Contractor to acknowledge receipt of this modification and termination by completing, signing, dating and returning this modification.</p> <p>Other Authorities for this Standard Form (SF) 30 Block 13: Administrative change as item (7) is considered an administrative changes that does not affect the substantive rights of the parties and item (8) is associated with an acknowledgement of this action.</p> <p>This order is hereby terminated and cancelled in its entirety.</p> <p>The Contractor hereby acknowledges receipt of this termination by signing below and shall immediately proceed with the following obligations pursuant to the Federal Acquisition Regulation (FAR) 52.212-4 Contract Terms and Conditions; Commercial Items clause (i) Termination for the Government's convenience:</p> <p><u>JOSEPH BOUNDER, PRESIDENT</u> Print Name &amp; Title of Authorized Representative</p> <p><u>[Signature]</u> Signature</p> <p><u>12/19/17</u> Date</p> <p>All other terms and conditions remains unchanged and in full force and effect. Max Expire Date: 12/19/2017</p> <p>LIST OF CHANGES: Reason for Modification: Terminate for Convenience (complete or partial)</p> <p>Period Of Performance End Date changed from <del>06-DEC-18</del> to 19-DEC-17</p> <p>Total Amount for this Modification: -\$120,000.00 New Total Amount for this Version: \$0.00 Continued ...</p>				

NSN 7540-01-182-6067

OPTIONAL FORM 330 (4-88)  
Sponsored by GSA  
FAR 101 CFR 101-11.6

## CONTINUATION SHEET

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7NAME OF OFFEROR OR CONTRACTOR  
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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	New Total Amount for this Award: \$0.00 Obligated Amount for this Modification: -\$120,000.00 New Total Obligated Amount for this Award: \$0.00  Contracting Officer changed from Jessica Wilson to Rayna Brown Administrative Contracting Officer changed from Elaine Scott to Rayna Brown  Maximum Potential Expiration Date changed to: 12/19/2017 CHANGES FOR LINE ITEM NUMBER: 1 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA for console customization, twice daily clip packages & breaking news alerts, analyst support and access and console maintenance for EPA data based on clip volume to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA for console customization, twice daily clip packages & breaking news alerts, analyst support and access and console maintenance for EPA data based on clip volume  Total Amount changed from \$20,000.00 to \$0.00 Obligated Amount for this modification: -\$20,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$20,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11H-ZZZME8-2504-1711H71040-001 Amount changed from \$20,000.00 to \$0.00  CHANGES FOR LINE ITEM NUMBER: 2 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00  Continued ...				

## CONTINUATION SHEET

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4 7NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-101A46-2504-1711H71040-003 Amount changed from \$15,000.00 to \$0.00  CHANGES FOR LINE ITEM NUMBER: 3 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-202BD4-2504-1711H71040-004 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0  CHANGES FOR LINE ITEM NUMBER: 4 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Total Amount changed from \$5,000.00 to \$0.00 Obligated Amount for this modification: -\$5,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$5,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-18-B-11-301ME9-2504-1711H71040-005 Amount changed from \$5,000.00 to \$0.00 Percent changed from 100 to 0  CHANGES FOR LINE ITEM NUMBER: 5 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to Continued ...				

## CONTINUATION SHEET

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NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-303D99-2504-1711H71040-006 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 6 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-401CD6-2504-1711H71040-007 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 7 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$12,000.00 to \$0.00 Obligated Amount for this modification: -\$12,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$12,000.00 to \$0.00</p> <p>Continued ...</p>				



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DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-501E44-2504-1711H71040-008 Amount changed from \$12,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 8 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA.</p> <p>Total Amount changed from \$5,000.00 to \$0.00 Obligated Amount for this modification: -\$5,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$5,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-B-11-ZZZHFS-2504-1711H71040-009 Amount changed from \$5,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 9 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA. Total Amount changed from \$15,000.00 to \$0.00 Obligated Amount for this modification: -\$15,000.00</p> <p>CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$15,000.00 to \$0.00</p> <p>CHANGES FOR ACCOUNTING CODE: 17-18-C-11-101FK6XN1-2504-1711H71040-010 Amount changed from \$15,000.00 to \$0.00 Percent changed from 100 to 0</p> <p>CHANGES FOR LINE ITEM NUMBER: 10 Description changed from News analysis and brief service focusing on EPA work and other topics of interest to EPA. to CANCELLED: News analysis and brief service focusing on EPA work and other topics of interest to EPA. Continued ...</p>				

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EP-18-H-000025/P00001

PAGE 7 OF 7

NAME OF OFFEROR OR CONTRACTOR  
DEFINERS CORP

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	Total Amount changed from \$3,000.00 to \$0.00 Obligated Amount for this modification: -\$3,000.00  CHANGES FOR DELIVERY LOCATION: HPOD Amount changed from \$3,000.00 to \$0.00  CHANGES FOR ACCOUNTING CODE: 17-T-11-501E52-2504-1711H71040-002 Amount changed from \$3,000.00 to \$0.00 Percent changed from 100 to 0  Payment: RTP Finance Center US Environmental Protection Agency RTP-Finance Center (AA216-01) 109 TW Alexander Drive www2.epa.gov/financial/contracts Durham NC 27711 FOB: Destination Period of Performance: 12/07/2017 to 12/19/2017				

**Brown, Rayna**

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**From:** McGraw, Sara  
**Sent:** Wednesday, December 20, 2017 8:24 AM  
**To:** Brown, Rayna  
**Subject:** Notice of Corrective Action  
**Attachments:** Notice of Corrective Action.doc

Good Morning,

Attached is what I intend to file with GAO. Please review and let me know if you concur.

Best,

Sara



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON D.C., 20460

OFFICE OF GENERAL COUNSEL

December 20, 2017

Scott Riback, Esq.  
Government Accountability Office  
Attn: Procurement Law Control Group  
411 G Street, N.W.  
Washington, D.C. 20548

RE: Protest of Fenton Communications  
Under Solicitation No. EP18H000025  
B-415800.1  
Notice of Corrective Action

Dear Mr. Riback:

The U.S. Environmental Protection Agency (Agency) has carefully reviewed the issues raised in the Fenton Communication (Fenton) protest. EPA has taken corrective action by terminating the award. Because the aforementioned corrective action renders Fenton's pending protest moot, Fenton's protest should be dismissed.

Respectfully Submitted,

Sara E. McGraw  
Attorney-Advisor  
Office of General Counsel  
U.S. Environmental Protection Agency

cc via email: David J. Arkush, Esq., Public Citizen, [darkush@citizen.org](mailto:darkush@citizen.org)



## OAM Service Desk

**Ticket #:** 154978

**Submitted by:** DAVID BERNHARDT

**Created:** Dec 19, 2017 3:25:39 PM

**Modified:** Dec 19, 2017 3:25:39 PM

**Resolved:** Dec 19, 2017 3:25:39 PM

### Contact Information

<b>Contact</b>	Rayna Brown	<b>Email</b>	brown.rayna@epa.gov
<b>Phone</b>	202-564-6025	<b>Address</b>	
<b>Contact Number (OID)</b>			

### Ticket Info

<b>Location</b>	Washington DC	<b>Priority</b>	Low
<b>Group</b>	OAM - Acquisition Systems Support	<b>Status</b>	Closed
<b>Category</b>	EAS		
<b>Category Option</b>	Award		
<b>Assignment</b>	DAVID BERNHARDT	<b>Asset</b>	
		<b>Asset #</b>	

### Custom Fields

<b>Program Office / OAM Division</b>	OAM - Headquarters Procurement Operations Division (HPOD)	<b>L3 Support Ticket #</b>	
<b>SCR #</b>			

### Description

<b>Subject</b>	SF-30 Block 13E Functionality
<b>CC</b>	
<b>Note</b>	<p>Hello Rayna,</p> <p>Per our conversation on block 13E of the SF-30, this issue already has a software change request entered with our L3 Support Team. The issue resolution is being tracked via OAM Service Desk ticket number 147493.</p> <p>Thank you!</p> <p>David Bernhardt Contractor, EAS Help Desk Compusearch Software Systems, Inc EAS Service Desk: 202-564-2327 &lt;<a href="http://oamservicedesk.epa.gov:8080/ehelpdesk/login.glml">http://oamservicedesk.epa.gov:8080/ehelpdesk/login.glml</a>&gt; To learn more about EAS, visit the EAS Resource Center &lt;<a href="http://easinfo.epa.gov/?q=eas-resource-center">http://easinfo.epa.gov/?q=eas-resource-center</a>&gt;</p>
<b>Attachments</b>	This ticket contains no attachments

### Sub-Tickets

No sub-tickets

**History Comments***No comments***Survey Results***Survey not submitted***Ticket Audit**

Field Name	From	To	On	By
Ticket Created			Dec 19, 2017 3:25:39 PM	dbernhar

<h1 style="margin: 0;">REQUISITION</h1>					PROCUREMENT REQUEST NO. PR-OA-17-00132	
1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT George Hull/202-564-0790					REQUISITION DATE 07/07/2017	
3. ORIGINATING OFFICE DATA HPOD					2. TYPE OF REQUEST (Check one) A <input checked="" type="checkbox"/> NEW REQUEST B <input type="checkbox"/> CHANGE TO PENDING PR NO. _____ C <input type="checkbox"/> MODIFICATION TO CONTRACT OR ORDER NO. _____	
4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)						
5. APPROVALS					6. CONSIGNEE AND DESTINATION	
APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)      ROUTING SYMBOL (E)		HPOD US Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, N. W. Mail Code: 3803R Washington DC 20460	
(1) AUTHORIZED REQUISITIONER						
Javier Araujo	OA	07/21/2017				
(2) Financial Interface	COTS	07/21/2017				
(3) Mardiko Ellison	OA	07/21/2017				
(4) George Hull	OA	07/21/2017			7. DATE(S) REQUIRED	
					8. GOVERNMENT FURNISHED PROPERTY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO    (If "yes," see pgs. 8 of instructions on next page.)	
9. DESCRIPTION OF ITEMS OR SERVICES						
ITEM NO. (A)	ITEM OR SERVICE (include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST		
				UNIT (E)	AMOUNT (F)	
0001	Brand Name: N Rec Proc Method: SOLE SOURCE FOB: Destination Period of Performance: 07/07/2017 to 07/07/2018  News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11H-ZZZME8-2504-1711H71040-001 BFY: 17 EFY: 18 Fund: B Budget Org: 11H Program (PRC): ZZZME8 Budget (BOC): 2504 DCN - Line ID: 1711H71040-001 Funded: \$20,000.00					20,000.00
0002	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-101A46-2504-1711H71040-003 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 101A46 Budget (BOC): 2504 DCN - Line ID: 1711H71040-003 Continued ...					15,000.00
				TOTAL ESTIMATED COST \$120,000.00		
10. ACCOUNTING DATA See Schedule						

ITEM NO. (A)	ITEM OR SERVICE (include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST	
				UNIT PRICE (E)	AMOUNT (F)
	Funded: \$15,000.00				
0003	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-202BD4-2504-1711H71040-004 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 202BD4 Budget (BOC): 2504 DCN - Line ID: 1711H71040-004 Funded: \$15,000.00				15,000.00
0004	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-301ME9-2504-1711H71040-005 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 301ME9 Budget (BOC): 2504 DCN - Line ID: 1711H71040-005 Funded: \$5,000.00				5,000.00
0005	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-303D99-2504-1711H71040-006 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 303D99 Budget (BOC): 2504 DCN - Line ID: 1711H71040-006 Funded: \$15,000.00				15,000.00
0006	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-401CD6-2504-1711H71040-007 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 401CD6 Budget (BOC): 2504 DCN - Line ID: 1711H71040-007 Funded: \$15,000.00				15,000.00
0007	News analysis and brief service focusing on EPA work and other topics of interest to EPA.  Accounting Info: 17-18-B-11-501E44-2504-1711H71040-008 BFY: 17 EFY: 18 Fund: B Budget Org: 11 Program (PRC): 501E44 Budget (BOC): 2504 DCN - Line ID: 1711H71040-008 Continued ...				12,000.00



Message

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 3/27/2018 10:09:30 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aee4fb4e-KSTEWAO2]  
**Subject:** RE: Important - Definers FOIA Request - Need Your Response - Thank You

Hey Keith, I already cc'd you on the 2:48 email response/submission to Kirk. Thanks

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/Pre-Award Solutions Team  
(202) 564.6025 Office

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**From:** Stewart, Keith  
**Sent:** Tuesday, March 27, 2018 5:42 PM  
**To:** Long, Brian <Long.Brian@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>  
**Cc:** Scott, Raoul <Scott.Raoul@epa.gov>; Marusak, Kirk <Marusak.Kirk@epa.gov>  
**Subject:** RE: Important - Definers FOIA Request - Need Your Response - Thank You

Hey Rayna

Please give Kirk what is required to close out this Definers FOIA. CC: me when you submit the information.

---

**From:** Long, Brian  
**Sent:** Tuesday, March 27, 2018 2:44 PM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Cc:** Scott, Raoul <Scott.Raoul@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Long, Brian <Long.Brian@epa.gov>; Marusak, Kirk <Marusak.Kirk@epa.gov>  
**Subject:** FW: Important - Definers FOIA Request - Need Your Response - Thank You

Rayna

Good Afternoon.

It is imperative that you provide the respective emails as requested in the email below immediately. The due date is Friday, and we must begin the peer review process tomorrow morning.

Thanking you in advance for your immediate attention and action.

Brian K. Long  
Policy, Training, Oversight Division (PTOD)  
Office of Acquisition Management  
U.S. Environmental Protection Agency/OARM/OAM  
202-564-4737

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**From:** Marusak, Kirk  
**Sent:** Tuesday, March 27, 2018 11:02 AM  
**To:** Brown, Rayna <[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)>  
**Cc:** Long, Brian <[Long.Brian@epa.gov](mailto:Long.Brian@epa.gov)>  
**Subject:** Important - Definers FOIA Request - Need Your Response - Thank You

Hi, Rayna,

I am glad that you called me after you had already left work yesterday (3-26-18). As we agreed over the phone, you planned to email me all email messages concerning termination of the Definers' purchase order on December 19, 2017, and previous to that date. That includes communications with people working inside OAM and people working outside of OAM including the Administrator's office and Definers Corporation. I need those email messages today (3-27-18) or I will have difficulty completing OAM's portion of the the FOIA request by Friday's (3-30-18) deadline. Brian Long, my manager, has to peer review the package by tomorrow (3-28-18) so Raoul D. Scott, Jr., my division director, has 2 days to peer review the entire FOIA package before signing it. Thank you for your assistance.

Kirk

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**From:** Marusak, Kirk  
**Sent:** Monday, March 26, 2018 3:24 PM  
**To:** Brown, Rayna <[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)>  
**Subject:** Definers FOIA Request - Need Your Response - Thank You

Hi, Rayna,

Before you leave today, I need to speak with you. Just call me at 564-4493, and I will come over to your office. I am currently in my cubicle working. Thank you.

*Kirk R. Marusak*  
Government Information Specialist  
Office of Acquisition Management  
U.S. Environmental Protection Agency  
Phone: (202) 564-4493  
Fax: (202) 564-2553  
[Marusak.Kirk@epa.gov](mailto:Marusak.Kirk@epa.gov)

## Appointment

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 1/9/2018 11:48:36 AM  
**To:** Wilson, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af76604c334046ef81611a859d0e0e14-Wilson, Jessica]; Gosnell, Jody [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f489f642c624968ac8785b093b42381-Jgosnell]; Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** IMMEDIATE ACTION >> Congressional - Oversight request on Definers Inc. contract  
**Attachments:** REQUEST FOR YOU IMMEDIATE ACTION Re: Congressional - Oversight request on Definers Inc. contract  
**Location:** DCRoomRRB61233California25pp/DC-Ronald-Reagan-OAM  
**Start:** 1/9/2018 3:30:00 PM  
**End:** 1/9/2018 4:30:00 PM  
**Show Time As:** Tentative

Hello all—

Please read the attached email as it will be the subject of this meeting and be prepared to provide all input and dialogue necessary to respond to this inquiry. When arriving at this meeting, please be prepared as follows:

- ❖ Read the email and the requested documents and
- ❖ Bring your laptop and any other pertinent materials not in the file

This is a top priority and is due today, January 9, 2018. We are also jointly responding to multiple FOIA requests for this same requirement. Thank you in advance for your assistance.

**To:** Stewart, Keith[Stewart.Keith@epa.gov]; Plater, Lottie[Plater.Lottie@epa.gov]  
**Cc:** Brown, Rayna[brown.rayna@epa.gov]  
**From:** Vaughn, Celia  
**Sent:** Tue 1/9/2018 1:41:25 AM  
**Subject:** REQUEST FOR YOU IMMEDIATE ACTION Re: Congressional - Oversight request on Definers Inc. contract  
[DeFazio Definers 1-3-18.pdf](#)  
[Whitehouse News Analysis 12-19-17.pdf](#)  
[Whitehouse News Analysis 1-5-18.docx](#)  
[Pallone Definers 1-5-18.pdf](#)

Hello Keith,

I believe the procurement action in question (i.e. award to **Definers Inc.** to provide news analysis services to OPA) may have been processed for the Office of Administration by HPOD.

I copied Rayna Brown in anticipation that this may have been under her service center.

In addition to reviewing the attached proposed response to Senator Sheldon Whitehouse (i.e. attached MS word document), please have the cognizant contracting officer forward to me ASAP the following items:

- A copy of the initial public solicitation or notice related to the “news analysis and brief service” work put out for bid
- A copy of all formal contract responses or other indications of interest to this solicitation or notice from prospective companies seeking to bid on this work
- A copy of the final contract with Definers
- A copy of the contract between EPA and any company that provided similar media monitoring services to the agency *immediately prior* to the awarding of the contract with Definers (press reports indicate that this contract was with a company called Bulletin Intelligence, LLC)
- Copies of [any other] documents related to the procurement of services with Definers as well as the contract EPA concluded with Definers for these services

Thank you in advance for your immediate response.

*Celia M. Vaughn*

**Chief of Staff, USEPA Headquarters, Office of Acquisition Management**  
**1200 Pennsylvania Avenue, N. W. Washington, DC 20460**  
**Mail Code 3805R (202) 564-1047**

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**From:** Cooper, Marian  
**Sent:** Monday, January 08, 2018 10:28 AM  
**To:** Patrick, Kimberly <Patrick.Kimberly@epa.gov>; Legare, Pamela <Legare.Pamela@epa.gov>; Vaughn, Celia <Vaughn.Celia@epa.gov>  
**Cc:** Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Bell, Matthew <Bell.Matthew@epa.gov>; Aarons, Kyle <Aarons.Kyle@epa.gov>; Knapp, Kristien <Knapp.Kristien@epa.gov>; Gantt, Melissa <Gantt.Melissa@epa.gov>  
**Subject:** FW: Oversight request on Definers Inc. contract

Kimberly, Pam and Celia,

Please see the request below. Kyle from Congressional Affairs, is coordinating this response. Can you please comments on the draft response and the documents requested? Please copy Matt and me on your response.

Thank you and Happy New Year!

Marian

Marian Pechmann Cooper  
Chief of Staff  
Office of Administration and Resources Management

William Jefferson Clinton Federal Building-NORTH (3330)  
Washington, DC 20460  
office number -- 202 564-0620  
office fax -- 202 564-0233



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**From:** Aarons, Kyle  
**Sent:** Friday, January 05, 2018 10:45 AM  
**To:** Cooper, Marian <[Cooper.Marian@epa.gov](mailto:Cooper.Marian@epa.gov)>; Bell, Matthew <[Bell.Matthew@epa.gov](mailto:Bell.Matthew@epa.gov)>  
**Cc:** Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>  
**Subject:** Oversight request on Definers Inc. contract

Hi Marian and Matt – We are working to respond to a couple oversight requests about a contract (now canceled) with Definers Inc. to provide news analysis services to OPA. We worked with OPA to draft the attached response, but will need some help from OAM as well.

Please ask OAM to review the attached draft and let us know of any feedback. We'd also like any documentation of the solicitation and contract that we would release for a FOIA request. Specifically, from the incoming letters:

- A copy of the initial public solicitation or notice related to the “news analysis and brief service” work put out for bid
- A copy of all formal contract responses or other indications of interest to this solicitation or notice from prospective companies seeking to bid on this work
- A copy of the final contract with Definers
- A copy of the contract between EPA and any company that provided similar media monitoring services to the agency *immediately prior* to the awarding of the contract with Definers (press reports indicate that this contract was with a company called Bulletin Intelligence, LLC)
- Copies of [any other] documents related to the procurement of services with Definers as well as the contract EPA concluded with Definers for these services

We don't need any communications at this point. Please ask OAM to flag anything that may contain Confidential Business Information (we'll also have OGC review).

Please let me know if COB Wednesday (1/10) would be reasonable for this.

I'm of course happy to talk to OAM directly if you could put me in touch with the right folks.

Thanks,  
Kyle

Kyle Aarons  
Congressional Affairs  
U.S. Environmental Protection Agency  
202-564-7351



Committee on Transportation and Infrastructure  
U.S. House of Representatives

Bill Shuster  
Chairman

Washington, DC 20515

Peter A. DeFazio  
Ranking Member

January 3, 2018

Mathew M. Sturges, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Pruitt:

I write to request further information on the process for awarding a \$120,000 no-bid contract<sup>1</sup> ("Contract") by the U.S. Environmental Protection Agency (EPA) to Definers Public Affairs ("Definers") to provide "news analysis and brief service focusing on EPA work and other topics of interest to EPA."<sup>2</sup> While I am aware of press reports that EPA and Definers may have agreed to cancel this contract,<sup>3</sup> I request this information for Congressional oversight of the process by which EPA provided notice and solicited offers for this work, and identified and awarded Definers the contract for this work.

According to Federal records, on December 7, 2017, EPA contracted with Definers for a total contract value of \$120,000 in a contract not submitted for full and open competition.<sup>4</sup> According to *The Hill*, EPA planned to utilize the company's "Definers Console" which, according to Definers' marketing materials, is a "war room" for "media monitoring/newspaper compilation".<sup>5</sup>

An online summary of the Contract states that it was not submitted to full and open competition, citing an "ONLY ONE SOURCE - OTHER" exception.<sup>6</sup> However, in a news article,

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<sup>1</sup> EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017), *available at* <https://www.usaspending.gov/Transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DACC0CEB7&AwardID=59978626&AwardType=C> [hereinafter "EPA Award"].

<sup>2</sup> *Id.*

<sup>3</sup> Eric Lipton and Lisa Friedman, *Consulting Firm Whose Staff Scoured E.P.A. Employees' Emails Loses Media Contract*, New York Times (Dec. 19, 2017), <https://www.nytimes.com/2017/12/19/climate/epa-definers-public-affairs-contract.html>.

<sup>4</sup> EPA Award, *supra* note 1.

<sup>5</sup> Devin Henry, *EPA inks \$120k contract with Republican opposition research firm*, The Hill (Dec. 15, 2017), <http://thehill.com/policy/energy-environment/365088-epa-inks-120k-contract-with-republican-opposition-research-firm>.

<sup>6</sup> EPA Award, *supra* note 1.

EPA spokesperson, Nancy Grantham, stated, “When the government seeks to sole-source a contract, notice must be placed on *FedConnect* or *FedBizOps* so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work... In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.”<sup>7</sup> This statement from EPA seems to suggest that Definers was not the only company that responded to EPA’s contract solicitation, and that EPA may have received multiple bids from vendors in response to this solicitation and notice.

In the same story, the EPA spokesperson stated that the Definers Contract was “\$87,000 cheaper than our previous media monitoring vendor,”<sup>8</sup> which, again, suggests that other companies were potentially available to provide similar services.

I also request further information on your personal involvement, or the involvement of the political staff of EPA, in the identification of Definers as a potential candidate for the Contract. I am aware that your Senior Communications Advisor worked with two current Definers staff during the Rubio for President Campaign.<sup>9</sup> I am also well aware that several Definers staff are previous founders, leaders, and employees of the American Rising PAC, a political video tracking firm that targets Democratic candidates for elected office.<sup>10</sup> Similarly, several current Definers staff also hold positions with other political organizations, such as America Rising Squared or Reclaim Connecticut<sup>11</sup>—both organizations that appear to target the “Environmental Left... and exposing their extreme rhetoric and agenda.”<sup>12</sup> Yet, while the staff of Definers have a partisan reputation and history of campaign work for Republican causes, I see no evidence that Definers has any prior experience in providing “news analysis and brief service focusing on EPA work and other topics of interest to EPA”, as required by the contract.

The only EPA-related experience I could uncover by Definers staff is the reported “witch hunt against EPA employees” alleged to have expressed concerns about the agency or its leadership. According to *The New York Times*, a Senior Vice President of Definers, Allan Blutstein, has made several Freedom of Information Act (FOIA) requests targeting individual EPA employees who, Mr. Blutstein alleges, have raised concerns about the ability of the agency to meet its statutory missions of protection of human health and the environment. In only a cursory look at *FOIAonline*, in calendar year 2017, Mr. Blutstein made 25 FOIA requests of EPA on behalf of America Rising—20 of which specifically target the individual emails of EPA staff to various news organizations or Congressional offices. While the specific intentions of Mr. Blutstein are not known, the fact that you were willing to hire a company that would personally and publically target your employees for potential harassment portends a type of personnel management taken right out of George Orwell’s *1984*.

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<sup>7</sup> Kevin Bogardus, *Agency signs Republican PR firm to \$120K contract*, Greenwire (Dec. 15, 2017), <https://www.eenews.net/greenwire/2017/12/15/stories/1060069191>.

<sup>8</sup> See *id.*

<sup>9</sup> Cf. <https://www.linkedin.com/in/jahan-wilcox-ab55477/> with <https://www.linkedin.com/in/joe-pounder-5b5b66b/> and <https://www.linkedin.com/in/mike-chenderlin-319a90106/>.

<sup>10</sup> See <https://americarisingpac.org/>.

<sup>11</sup> See <https://reclaimct.com/about-us/>.

<sup>12</sup> See <http://arsquared.org/energy/>.


To exercise our Congressional oversight responsibilities, I request additional information related to the awarding of the Contract to Definers. Specifically, I request you provide my office on the Committee on Transportation and Infrastructure with the following information:

1. A copy of the initial public solicitation or notice related to the “news analysis and brief service” work put out for bid, including evidence on the manner in which this solicitation or notice was made publicly available and a timeline on the contract solicitation period;
2. A description of the internal EPA process utilized to publicly notice and solicit offers for this work and to identify and award the contract for this work, including the identity of EPA staff (including political staff) that participated in this process;
3. A copy of all formal contract responses or other indications of interest to this solicitation or notice from prospective companies seeking to bid on this work;
4. A copy of all internal EPA emails, EPA communications, or other deliberative materials related to Definers, current Definers staff, or the Contract;
5. A description of the prior experience of Definers in providing “news analysis and brief service focusing on EPA work and other topics of interest to EPA”, as required by the Contract;
6. A copy of the final Contract with Definers; and
7. A copy of the contract between EPA and any company that provided similar media monitoring services to the agency *immediately prior* to the awarding of the Contract with Definers (press reports indicate that this contract was with a company called Bulletin Intelligence, LLC).

If you have any questions regarding this request, please have your staff contact the Democratic Staff of the Subcommittee on Water Resources and Environment at (202) 225-0060.

Thank you for your prompt attention to this matter.

Sincerely,



PETER DeFAZIO  
Ranking Member



# Congress of the United States

## House of Representatives

Washington, D.C. 20515

January 5, 2018

The Honorable Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Pruitt:

We write to express our serious concerns regarding the awarding of a \$120,000 no-bid contract<sup>1</sup> (“Contract”) by the U.S. Environmental Protection Agency (EPA) to Definers Public Affairs (“Definers”) to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”<sup>2</sup> The awarding of this contract without full and open competition<sup>3</sup> to a company with no apparent experience in providing these services to a Federal agency<sup>4</sup> is concerning enough on its own. However, the political activities and affiliations of Definers make this action more alarming.<sup>5</sup> While Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

Federal records show that on December 7, 2017 EPA contracted with Definers for a total contract value of \$120,000 in a contract not submitted to full and open competition.<sup>6</sup> Additionally, *The Hill* reported that EPA will utilize the company’s “Definers Console” which, according to Definers’ marketing materials, is a “war room” for “media monitoring/newsclip

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<sup>1</sup> EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017) (<https://www.usaspending.gov/Transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>) [hereinafter “EPA Award”].

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Rebecca Leber, Andy Kroll and Russ Choma, *The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity*, Mother Jones (December 15, 2017) (<http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>).

<sup>5</sup> Devin Henry, *EPA inks \$120k contract with Republican opposition research firm*, The Hill (Dec. 15, 2017) [hereinafter “Devin Henry”].

<sup>6</sup> EPA Award, *supra* note 1.

compilation.”<sup>7</sup> Definers describes the war room as a tool allowing the firm “to identify and react immediately to opportunities arising out of the news cycle and to flag potential challenges and crises before they take on a life of their own.”<sup>8</sup>

This vague description becomes particularly concerning given the other services offered by Definers. The firm offers lobbying services, including “recruiting and mobilizing constituents, local authorities, like minded organizations, and non-traditional allies.” Clearly, these are services which would constitute a violation of the antilobbying prohibitions if included in the EPA contract. Other services offered include working “to validate your [the client’s] narrative through the press and social media platforms” and “interface[ing] directly with reporters and editors both on and off the record, protecting our clients’ identity when desired.” These services, if included in the scope of the contract, would violate the prohibition on covert propaganda by federal agencies.

Especially concerning, Definers offers clients “dossiers on opponents, competitors and agitators ... packaged in easily digestible, media friendly formats.” We are also deeply troubled that individuals on Definers staff have been involved in a “witch hunt against E.P.A. employees” that may have publicly or privately expressed concerns about the Agency or its leadership. According to a December 17, 2017 article in *The New York Times*,<sup>9</sup> a Senior Vice President of Definers made several Freedom of Information Act (FOIA) requests targeting individual EPA employees who may have either expressed concerns about the direction of the Agency to meet its statutory missions of protecting human health or the environment. *The New York Times* reports that the targeted actions may have included private conversations at an off-site luncheon, a letter to Administrator Pruitt, or attendance at a rally protesting budgetary cuts to the agency.<sup>10</sup>

We have become increasingly concerned about the secrecy and lack of transparency from your administration, and this latest report is an alarming new development. Hiring a firm that offers services attacking the press and surveilling your employees threatens the functioning of your agency and potentially the freedom of the press guaranteed by our Constitution.

We request that you respond to the following by January 19, 2018:

1. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

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<sup>7</sup> Devin Henry, *supra* note 5.

<sup>8</sup> Definers Public Affairs, “What We Do” (<https://www.definersdc.com/services>).

<sup>9</sup> Eric Lipton and Lisa Friedman, *E.P.A. Employees Spoke Out. Then Came Scrutiny of Their Email*, *The New York Times*, (Dec. 17, 2017).

<sup>10</sup> *See id.*

2. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?
3. Was Definers, America Rising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
4. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
5. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.
6. On December 10, *The New York Times* published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.<sup>11</sup> EPA issued an unusual press release in response, which has since been removed from the Agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10<sup>th</sup> article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10<sup>th</sup> article.
7. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?
8. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

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<sup>11</sup> Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017).

Thank you for your prompt attention to this matter. If you have any questions, please contact Jacqueline Cohen from the Committee on Energy and Commerce Democratic Staff at (202) 225-3641.

Sincerely,



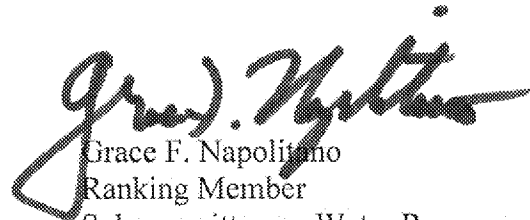
Franks Pallone, Jr.  
Ranking Member  
Committee on Energy and Commerce



Peter DeFazio  
Ranking Member  
Committee on Transportation  
and Infrastructure



Paul D. Tonko  
Ranking Member  
Subcommittee on Environment  
Committee on Energy and Commerce



Grace F. Napolitano  
Ranking Member  
Subcommittee on Water Resources  
and Environment  
Committee on Transportation  
and Infrastructure



Betty McCollum  
Ranking Member  
Subcommittee on Interior,  
Environment and Related Agencies  
Committee on Appropriations

# United States Senate

WASHINGTON, DC 20510

December 19, 2017

The Honorable Scott Pruitt  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

Dear Administrator Pruitt:

We are writing you to express our concerns about the decision by the Environmental Protection Agency (EPA) to award a \$120,000 no-bid contract for “news analysis” to Definers Public Affairs, as reported this week by *Mother Jones*<sup>1</sup> and the *New York Times*.<sup>2</sup> EPA’s contract with Definers risks further politicizing the agency and is another instance of EPA under your tenure becoming captured by the industry it regulates.<sup>3</sup> At a minimum, it presents an appearance of impropriety to which you as Administrator should never be a party. For the reasons that follow, you should terminate this contract immediately.

Definers shares an address and staff with America Rising, a political action committee (PAC) that has been described as the “unofficial research arm of the Republican party.”<sup>4</sup> America Rising has branded itself as an organization on the right founded “for the sole purpose of exposing the truth about Democrats through video tracking, research, and communications.”<sup>5</sup> The group spends its time attacking Democrats, progressives, and environmentalists and lists Definers as one of its largest vendors.<sup>6</sup> America Rising also operates the 501(c)(4) organization America Rising Squared, a dark money organization whose contributors are anonymous. The leadership teams of America Rising and Definers share numerous individuals. For example, Definers’ founder, Matt Rhoades, also founded America Rising.<sup>7</sup> Definers’ president, Joe Pounder, is also the president of America Rising.<sup>8</sup> Definers’ Senior Vice President, Brian Rogers, is also the executive director of America Rising Squared.<sup>9</sup> These organizations may

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<sup>1</sup> “The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity,” *Mother Jones*, <http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>

<sup>2</sup> “E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials,” *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

<sup>3</sup> “How Rollbacks at Scott Pruitt’s E.P.A. Are a Boon to Oil and Gas,” *The New York Times*, <https://www.nytimes.com/2017/05/20/business/energy-environment/devon-energy.html>; “Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers,” *The New York Times*, <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

<sup>4</sup> “Political Operatives Find Demand for Their Skills in Business World,” *The Wall Street Journal*, <https://www.wsj.com/articles/political-operatives-find-demand-for-their-skills-in-business-world-1462136874>

<sup>5</sup> America Rising, <https://americarisingpac.org/about-us/>

<sup>6</sup> America Rising PAC Expenditures (2018), Open Secrets.org, <https://www.opensecrets.org/pacs/expenditures.php?cmte=C00542902&cycle=2018>

<sup>7</sup> Matt Rhoades, Definers, <https://www.definersdc.com/matt-rhoades>

<sup>8</sup> Joe Pounder, Definers, <https://www.definersdc.com/joe-pounder>

<sup>9</sup> Brian Rogers, Definers, <https://www.definersdc.com/brian-rogers>

have different corporate forms, but we should all be clear that they are merely different parts of the same multi-faceted partisan operation. Any claim they are distinct is a sham.

What's more, America Rising and Definers receive significant funds from interests in the energy sector as well as other industries you regulate as EPA Administrator. While this cabal of Republican opposition research and electioneering organizations can raise much of its money anonymously so that the identities of many of its donors are unknown to the public, press reports about Definers' work and Federal Election Commission (FEC) disclosures from the America Rising PAC make it abundantly clear that companies you regulate are driving much of its work. Definers was hired by fossil fuel interests to work on opposing a local ballot initiative in Colorado that would have placed conditions on oil and gas drilling.<sup>10</sup> America Rising has received sizeable donations from several companies and individuals affiliated with the energy industry, including Hilcorp Energy, L.E. Simmons of SCF Partners, and Jonathon Barrett of Luminus Management LLC. It has also received donations from companies and individuals in other industries regulated by EPA, including Susan Groff of Northwest Excavating, William Kunkler of CC Industries (manufacturing), George Daniels of Daniels Manufacturing, and Jerry Langer of Langer Transport.<sup>11</sup>

Many of these same corporate interests vocally supported your nomination and confirmation as EPA Administrator. America Rising even ran a campaign in support of your confirmation as EPA Administrator which included ads urging senators to vote for your confirmation and the website, [www.ConfirmPruitt.com](http://www.ConfirmPruitt.com).<sup>12</sup> At your confirmation hearing, Senator Whitehouse asked you the following question for the record, which has renewed relevance in light of recent events:

Q 138. Please provide any correspondence or details about other communication between you or anyone working on your behalf concerning the establishment or activities of America Rising, America Rising Squared, and Protecting America Now, and any other organizations that are funding efforts to get you confirmed as EPA Administrator.

A. I am not aware of any such correspondence.

Your response was dubious then, and is even more dubious now.

The America Rising-Definers network has been no less active on your behalf following your confirmation than it was before, even putting aside this recent contract. The aforementioned Joe Pounder, president of Definers *and* America Rising, wears yet another hat in this constellation of interconnected partisan groups: he runs a website called the Need to Know Network (NTK) that has provided favorable coverage of your tenure at EPA.<sup>13</sup> EPA's official Twitter account has even on several occasions tweeted NTK's coverage of your work at EPA.

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<sup>10</sup> "FRACTURED: Undermining Broomfield," *The Colorado Independent*, <http://www.coloradoindependent.com/167431/fractured-undermining-broomfield>

<sup>11</sup> America Rising PAC Contributors (2016), Open Secrets.org, <https://www.opensecrets.org/pacs/pacgave2.php?cmte=C00542902&cycle=2016>

<sup>12</sup> "Conservatives target red-state Democrats to speed Trump's nominations," *Politico*, <https://www.politico.com/story/2016/12/trump-nominations-red-state-democrats-232890>

<sup>13</sup> "Scott Pruitt's media echo chamber," *Grist*, <http://grist.org/article/scott-pruitts-media-echo-chamber/>

As if all this weren't enough, Definers has filed several Freedom of Information Act (FOIA) requests with EPA relating to work EPA was doing under the previous administration with respect to the treatment of wood.<sup>14</sup> It would appear that Definers is working for a corporate client that has business before EPA relating to this matter. America Rising has also filed several FOIA requests with EPA.<sup>15</sup> These requests were filed by the same person who filed the FOIA requests for Definers; this person works at both Definers and America Rising.<sup>16</sup> America Rising's FOIA requests seek to obtain emails from specific EPA employees and/or correspondence between specific EPA employees and various media outlets as well as the staffs of Senators Sheldon Whitehouse, Tom Carper, Elizabeth Warren, and Robert Casey in an apparent effort to uncover "moles" within EPA.

The *New York Times* has recently documented how EPA enforcement has fallen off significantly during your tenure.<sup>17</sup> Senators Carper and Whitehouse last week raised concerns that you have changed agency policy to give regulated industries an unprecedented seat at the table in negotiations to settle lawsuits where EPA is charged with failing to follow through on its statutory commitments to enforce the Clean Air Act and other environmental laws. Hiring a public relations firm with abundant ties to industries you regulate, which is itself part of a broader network of groups active on behalf of you and fossil fuel interests, suggests that you have handed industry the keys to EPA.

None of this can come as a surprise to you. In 2015, America Rising paid to attend the Republican Attorneys General Association (RAGA) annual summit at which you spoke.<sup>18</sup> You led RAGA for two years, where you worked through RAGA to attack EPA during the Obama administration.

Your representatives have claimed that EPA's contract with Definers is for "media monitoring/newsclip compilation"<sup>19</sup> and that it was retained "at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services."<sup>20</sup> All of the above information about Definers, its activities, clients, and role within a much larger ecosystem of partisan, industry-funded operations research and electioneering groups casts significant doubt on these statements.

In light of the above and in order to shed light on EPA's decision to award this contract, we are asking that you provide the following documents and responses by Thursday, December 21.

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<sup>14</sup> EPA Pending FOIA Requests, [https://www.epa.gov/sites/production/files/2017-09/documents/all\\_pending\\_report\\_20170831.pdf](https://www.epa.gov/sites/production/files/2017-09/documents/all_pending_report_20170831.pdf)

<sup>15</sup> *Id.*

<sup>16</sup> Allan Blutstein, Definers, <https://www.definersdc.com/allan-blutstein>

<sup>17</sup> "Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers," *The New York Times*, <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

<sup>18</sup> "To Fight Clean Power Plan, Fossil Fuel Companies Paid for Private Meetings with Republican State Prosecutors," DeSmogBlog, <https://www.desmogblog.com/2016/09/07/fight-clean-power-plan-fossil-fuel-companies-paid-private-meetings-republican-state-prosecutors>

<sup>19</sup> "The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity," *Mother Jones*, <http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/>

<sup>20</sup> "E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials," *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

1. Provide copies of all documents related to the procurement of services with Definers as well as the contract EPA concluded with Definers for these services.
2. What provision of the Federal Acquisition Regulation (FAR) authorized a no-bid contract for the type of services EPA procured from Definers? According to the contract transaction details posted on the [usaspending.gov](https://www.usaspending.gov) website, the reason not to put this contract out to bid was that there was “only one source – other.”<sup>21</sup> Please explain what this means when in fact there are many firms that offer the services for which EPA contracted with Definers, including the firm that previously did that work.
3. Provide copies of all communications between EPA and Definers, America Rising, America Rising Squared, NTK, and any employees and representatives of these entities since February 17, 2017.
4. Confirm that all communications you or any EPA employee have had with any person in question 3, regardless of the form of communication used, have been retained by EPA and searched in response to this inquiry.
5. Provide communications or documentation to establish that no EPA funds paid to Definers or any affiliated group have been spent for “publicity or propaganda” or a “prepackaged news story” in violation of sections 715, 718 or 731 of division E of the Consolidated Appropriations Act, 2017.
6. Provide communications or documentation to establish that no EPA funds paid to Definers or any affiliated group have been spent with the intent or the reasonable expectation that the funds would be used to make a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication in violation of section 735 of division E of the Consolidated Appropriations Act, 2017.
7. Provide all communications between EPA and the Definers – America Rising network as to and regulated entities that are also clients of or donors to Definers – America Rising. Describe and provide all communications related to EPA’s due diligence efforts to determine if any conflicts of interest existed between the agency and regulated entities that are clients of or donors to Definers – America Rising. Provide all communications to or from EPA related to Broomfield, CO, ballot initiative Question 301 this year.<sup>22</sup>
8. Provide documentation or, if not available, a narrative description of the processes and procedures in place to ensure no client or funder of Definers-America Rising or any related entity can exert improper influence over EPA enforcement proceedings or litigation.
9. Provide all communications between EPA and the Definers – America Rising – NTK network of affiliated groups relating to EPA employee communications that were requested under FOIA by anyone from the Definers – America Rising – NTK network of affiliated groups. These employees include but are not limited to Natasha Greaves,

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<sup>21</sup> Definers, USA Spending,

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>

<sup>22</sup> “FRACTURED: Undermining Broomfield,” *The Colorado Independent*, <http://www.coloradoindependent.com/167431/fractured-undermining-broomfield>



Michael Mikulka, Lucretia Meyers, Thelma Estrada, Gary Morton, Anthony Tseng, Christopher Grundler, Mike Shapiro, John Reeder, Enesta Jones, Christie St. Clair, Deborah Szaro, Michael Cox, Elizabeth Southerland, and Priscilla Oliver. In an interview with the New York Times, Allan Blutstein, a senior vice president at Definers explained that he sought this information to take aim at “resistance” figures in the federal government and to see if they had done anything useful for Republicans.<sup>23</sup> If any of these individuals have faced adverse personnel actions since February 17, 2017, please explain the nature of the action, the circumstances surrounding the action, and provide any correspondence concerning those individuals between EPA and any person affiliated with the Definers – America Rising – NTK network of affiliated groups.

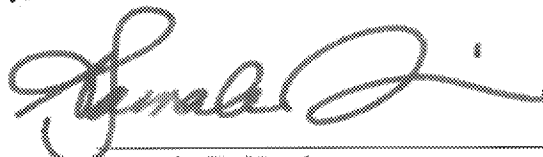
10. Explain how the facts described above – America Rising’s active financial support of your confirmation as well as your earlier political career, NTK’s favorable press coverage of your tenure at EPA, Definer’s working on behalf of regulated entities, regulated entities funding America Rising’s work – do not constitute a series of conflicts of interest. We would be particularly interested to learn why you believe that scientists who are awarded EPA grant money are conflicted while the Definers – America Rising – NTK network is not.

Should you have any questions regarding any of the information we are requesting in this letter, please do not hesitate to contact our staffers, Dan Dudis at [dan\\_dudis@whitehouse.senate.gov](mailto:dan_dudis@whitehouse.senate.gov) and Monica Pham at [monica\\_pham@harris.senate.gov](mailto:monica_pham@harris.senate.gov). We look forward to your response.

Sincerely,



Sheldon Whitehouse  
United States Senator



Kamala D. Harris  
United States Senator

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<sup>23</sup> “E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials,” *The New York Times*, <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

**To:** Long, Brian[Long.Brian@epa.gov]  
**Cc:** Scott, Raoul[Scott.Raoul@epa.gov]; Stewart, Keith[Stewart.Keith@epa.gov]; Marusak, Kirk[Marusak.Kirk@epa.gov]  
**From:** Brown, Rayna  
**Sent:** Tue 3/27/2018 6:50:18 PM  
**Subject:** RE: Important - Definers FOIA Request - Need Your Response - Thank You  
KEITH SENDING THESE EMAILS TO FOIA >> Potential email correspondence regarding the Definers FOIA Request up to December 19, 2017

Hello Brian,

I was attempting to vet through my management and the cognizant manager over PCSC which is responsible service center for this FOIA response prior to my submission. Given the urgency, please find attached the requested emails. Thanks \*

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/Pre-Award Solutions Team  
(202) 564.6025 Office

---

**From:** Long, Brian  
**Sent:** Tuesday, March 27, 2018 2:44 PM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Cc:** Scott, Raoul <Scott.Raoul@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Long, Brian <Long.Brian@epa.gov>; Marusak, Kirk <Marusak.Kirk@epa.gov>  
**Subject:** FW: Important - Definers FOIA Request - Need Your Response - Thank You

Rayna

Good Afternoon.

It is imperative that you provide the respective emails as requested in the email below immediately. The due date is Friday, and we must begin the peer review process tomorrow morning.

Thanking you in advance for your immediate attention and action.

Brian K. Long  
Policy, Training, Oversight Division (PTOD)  
Office of Acquisition Management  
U.S. Environmental Protection Agency/OARM/OAM  
202-564-4737

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**From:** Marusak, Kirk  
**Sent:** Tuesday, March 27, 2018 11:02 AM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Cc:** Long, Brian <Long.Brian@epa.gov>  
**Subject:** Important - Definers FOIA Request - Need Your Response - Thank You

Hi, Rayna,

I am glad that you called me after you had already left work yesterday (3-26-18). As we agreed over the phone, you planned to email me all email messages concerning termination of the Definers’ purchase order on December 19, 2017, and previous to that date. That includes

communications with people working inside OAM and people working outside of OAM including the Administrator's office and Definers Corporation. I need those email messages today (3-27-18) or I will have difficulty completing OAM's portion of the the FOIA request by Friday's (3-30-18) deadline. Brian Long, my manager, has to peer review the package by tomorrow (3-28-18) so Raoul D. Scott, Jr., my division director, has 2 days to peer review the entire FOIA package before signing it. Thank you for your assistance.

Kirk

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**From:** Marusak, Kirk  
**Sent:** Monday, March 26, 2018 3:24 PM  
**To:** Brown, Rayna <[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)>  
**Subject:** Definers FOIA Request - Need Your Response - Thank You

Hi, Rayna,

Before you leave today, I need to speak with you. Just call me at 564-4493, and I will come over to your office. I am currently in my cubicle working. Thank you.

***Kirk R. Marusak***  
Government Information Specialist  
Office of Acquisition Management  
U.S. Environmental Protection Agency  
Phone: (202) 564-4493  
Fax: (202) 564-2553  
[Marusak.Kirk@epa.gov](mailto:Marusak.Kirk@epa.gov)

**To:** Stewart, Keith[Stewart.Keith@epa.gov]  
**From:** Brown, Rayna  
**Sent:** Tue 3/27/2018 5:49:05 PM  
**Subject:** KEITH SENDING THESE EMAILS TO FOIA >> Potential email correspondence regarding the Definers FOIA Request up to December 19, 2017

[RE: PO EP18H000025 1 HQ \[URGENT\]](#)  
[Re: PO EP18H000025 1 HQ \[URGENT\]](#)  
[Re: PO EP18H000025 1 HQ \[URGENT\]](#)  
[PO EP18H000025 1 HQ \[URGENT\]](#)  
[Re: FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025](#)  
[RE: FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025](#)  
[FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025](#)  
[RE: Contract awarded 12/7/17](#)  
[FW: Contract awarded 12/7/17](#)  
[FW: B- 415800-2 FW: Bid protest for EPA contract EP18H000025](#)  
[FW: B- 415800-1 FW: Bid protest for EPA contract EP18H000025](#)  
[Definers Corp](#)  
[FW: B- UNKNOWN FW: Bid protest for EPA contract EP18H000025](#)  
[Re: Updated Docs for PR-OA-17-00132 NEWS SVC](#)  
[FW: Response to Sole Source Notification: 68HE0H18B0002](#)  
[FW: Updated Docs for PR-OA-17-00132 NEWS SVC](#)  
[Re:](#)  
[RE:](#)  
[Untitled](#)  
[Fwd: Out sick today](#)  
[FW: NOTICE WITH ATTACHMENT](#)  
[NOTICE WITH ATTACHMENT](#)  
[Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice](#)  
[RE: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice](#)  
[Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice](#)  
[RE: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice](#)  
[FW: Distribution of EP-18-H-000025 - A more legible copy](#)  
[RE: New Analysis and Media Support](#)  
[RE: New Analysis and Media Support](#)  
[RE: New Analysis and Media Support](#)  
[RE: New Analysis and Media Support](#)  
[RE: New Analysis and Media Support](#)  
[RE: New Analysis and Media Support](#)  
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[Folow-up on News Analysis/Media Support Contract-Definer's Corp/No Quote](#)  
[Re: Updated Docs for PR-OA-17-00132 NEWS SVC](#)  
[RE: Updated Docs for PR-OA-17-00132 NEWS SVC](#)  
[RE: Milestones Data Call](#)  
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RE: Updated Docs for PR-OA-17-00132 NEWS SVC  
RE: Updated Docs for PR-OA-17-00132 NEWS SVC  
Justification Other than Full and Open Competition (JOFOC) OA-17-00132  
Checking on Status

Hello Keith,

I wanted to share with you the emails that FOIA has requested that I plan to provide today unless you instruct me otherwise. I'm in the HRMD Management Training Series: Mid-Year Performance Management training right now (1:00 PM to 3:00 PM). I will transmit to FOIA by 3:30 PM. Thanks

Hello Kirk,

As discussed yesterday evening and per your email today, please find my best efforts to produce the required emails regarding the Definers FOIA Request. As instructed, the emails started on July 28, 2017 through December 19, 2017. Given the sheer volume of emails being requested (approximately over 60 emails), I cannot perform the vetting necessary before release/response to this FOIA, so please make sure the records are redacted accordingly. I was not the only person involved, so I'm not sure if you have provided the same instructions to other EPA personnel involved in this matter. Lastly, other than me providing these emails that only I could provide with regards to emails involving my name or transmission, I am no longer the lead or coordinator of this FOIA response effort.

I hope this satisfies your request of me. Thank you have a great day!

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/Pre-Award Solutions Team  
(202) 564.6025 Office

Message

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**From:** Wilson, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF76604C334046EF81611A859D0E0E14-WILSON, JESSICA]  
**Sent:** 12/19/2017 3:04:26 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aead4fb4e-KSTEWAO2]; Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**CC:** Gosnell, Jody [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f489f642c624968ac8785b093b42381-Jgosnell]; Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]  
**Subject:** Definers Corp  
**Importance:** High

Rayan & Keith I wanted to forward this information on to you. I will not respond to this inquiry.

Kind Regards,

*Jessica V. Wilson*  
*Contracting Officer*

*U.S. Environmental Protection Agency*  
**OARM/OAM/HPOD/PCSC**  
*Ronald Reagan Building #61178*  
*1200 Pennsylvania Ave. NW Mail Code: 3803R*  
*Washington, DC 20460*  
*Phone: 202-564-2504*  
*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

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**From:** Russ Choma [mailto:[rchoma@motherjones.com](mailto:rchoma@motherjones.com)]  
**Sent:** Monday, December 18, 2017 3:59 PM  
**To:** Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>  
**Subject:** Definers Corp

Hi Jessica,

My name is Russ Choma, I'm a reporter with *Mother Jones* magazine here in DC. I'm working on a story about an EPA contract with a company called Definers Corp. According to the contract's record, you are the "last modified user". I have a few questions I would like to ask – I can be reached at my office at 202.626.7253, or through the Signal app at 603.785.4610.

I appreciate any help you can give,

Thanks,

--

Russ Choma  
Mother Jones  
[rchoma@motherjones.com](mailto:rchoma@motherjones.com)  
202.626.7253

## **Justification for Other than Full and Open Competition (JOFOC)**

**Authority:** 41 U.S.C. 253(c) , FAR PART 6.3

1. **Agency:** U.S. Environmental Protection Agency  
**Contracting Activity:** Office of Acquisition Management – Headquarters  
Procurement Operations Division  
**Contractor:** Definers Corp

2. **Nature and/or description of the action:**

EPA's Office of Public Affairs (OPA) is responsible for working with media to provide the public with timely, coherent information on environmental issues, and EPA actions and policies. Whether providing the media with press announcements; responding to media inquiries; or reacting to published stories, OPA works to achieve articles that accurately represent EPA's perspective. In order to accomplish this goal, OPA must constantly monitor media coverage and respond to inaccurate or incomplete stories. OPA may choose a number of methods to address these stories, including contacting reporters and editors to request corrections. OPA's ability to successfully address inaccurate or incomplete stories before the stories influence other reporters or are widely read is largely dependent on its ability to identify those stories shortly after publication, and OPA requires contractor support in order to do so.

3. **Description of the Supplies or Services:**

This is a sole source procurement subscription for a media support service. The service provides EPA with: 1) Intensive, near live-time "war room" coverage of media stories for specific topics, events or announcements; 2) access to a searchable database of past media content on EPA issues and topics; 3) a twice-daily compilation of news articles delivered once each business day by e-mail; and 4) high profile, breaking news stories during the day, delivered by e-mail. This service is vital to support the ability of EPA's Office of Public Affairs to fully monitor and respond quickly to breaking media coverage, which in turn supports EPA's ability to accurately provide information to the public on environmental and regulatory matters. This service also directly supports the Administrator and other senior EPA officials by providing them with timely updates on media stories.

Period of performance: One year from date of contract award

DUNS: 076234313

Proposed Source: Definers Corp.

Contacts:

Joe Pounder, President  
Tel. 571-290-5460  
jpounder@definerscorp.com

Julia Cotrone, Special Assistant  
Tel. 571-290-5461  
jcotrone@definerscorp.com

4. **Authority:** [Check appropriate exception.]

[ X] Only One Responsible Source

**Authority:** 41 U.S.C. 253 (c) (1)

**FAR Cite:** FAR 6.302-1

5. **Describe how the contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:**

Definers offers a customizable and proprietary Console which brings together cutting-edge technology and human analysis to provide real-time actionable intelligence based on the most relevant information. It allows organizations to have a holistic view of what is occurring in the public domain with regards to their organization and relevant sectors, both domestically and globally.

Through the Console, Definers is able to revolutionize the utilization of media clips by implementing:

- Proprietary advanced search functions
- Standalone media clip database including perpetual retention so that information is always available regardless of email retention policies or other limitations of email platforms
- Ability to pre-load a customized Console with the issues, public figures, and news data relevant to customers, populated in real time
- Specially trained and experienced researchers to provide relevant and actionable analysis
- Digital and human analytics coverage throughout the day
- Media tags that are tailored to the customer's areas of interests, which allow for quick sorting and tracking of customized data streams.
- Delivered through a proprietary web interface which allows for email distribution as well.



6. **Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:**

A JOFOC and RFI notice will be posted on FedBizOpps (synopsized) and FedConnect for five calendar days.

7. **The contracting officer determines that the anticipated cost to the Government will be fair and reasonable due to the vendor's published rates, or other available price information.**

Yes, the CO has determined the cost to be fair and reasonable based on information received from the contractor.

8. **Description of the market research conducted (see FAR Part 10). If no market research was conducted, state the reasons:**

Leading providers Cision ([www.cision.com](http://www.cision.com)), Bulletin Intelligence ([www.bulletinintelligence.com](http://www.bulletinintelligence.com)), and Critical Mention ([www.criticalmention.com](http://www.criticalmention.com)) do not provide the combined services sought by EPA's Office of Public Affairs.

9. **Other facts supporting the use of other than full and open competition.**

Definers Corp. states that no other service gives their clients the high level and comprehensive search functions that it offers through its customized Console. Clients have the ability to tailor their tags and tailor who from their teams sees those tags. The storage and search functions of the Console are something no other clip service provides because they do not have the Definers proprietary Console.

**Approvals –**

**1) Project Officer's Certification**

I certify that the facts and representations stated in this justification are complete and accurate which form the basis to award this requirement.



**Signature of Technical Officer**



**Printed name of Technical Officer**

**Technical Officer's phone number & E-mail address:**

202.564.2615 / [lynn.tricia@epa.gov](mailto:lynn.tricia@epa.gov)

Date: 11/29/2017

**2) Contracting Officer's Certification**

I certify that this justification is accurate and complete to the best of my knowledge and belief.

Jody Gosnell

**Signature of Contracting Officer**

Jody Gosnell

**Printed name of  
Contracting Officer**

**Contracting Officer's phone number and E-mail address:** gosnell.jody@epa.gov  
202-564-4353

**Date:** 11/29/17



**Statement of Work**  
**Media Support Contract**  
**U.S. Environmental Protection Agency**

**Background and Purpose:**

EPA's Office of Public Affairs (OPA) is responsible for working with media to provide the public with timely, coherent information on environmental issues, and EPA actions and policies. Whether providing the media with press announcements; responding to media inquiries; or reacting to published stories, OPA works to achieve articles that accurately represent EPA's perspective. In order to accomplish this goal, OPA must constantly monitor media coverage and respond to inaccurate or incomplete stories. OPA may choose a number of methods to address these stories, including contacting reporters and editors to request corrections. OPA's ability to successfully address inaccurate or incomplete stories before the stories influence other reporters or are widely read is largely dependent on its ability to identify those stories shortly after publication, and OPA requires contractor support in order to do so.

**Scope of Work**

EPA requires four basic services:

- delivery, via email and in near-real-time, of media stories involving relevant events, announcements and issues, with trend analysis included;
- delivery, via email, of a once-daily (Monday through Friday) compendium of news coverage of EPA and environmental issues, including a trend analysis;
- delivery, via email and in near-real-time, of media stories on high-priority issues and/or media outlets as determined through ongoing discussions between OPA and the vendor
- delivery, via searchable database, of all past media stories gathered under the other assigned tasks

The selected vendor shall be responsible for obtaining the necessary licenses (via Factiva, Lexis Nexis or similar service) to provide this service to OPA.

Accompanying these deliverables, selected vendor shall provide exceptional customer service, including 24/7 access by EPA to contractor's account managers, analysts, and senior managers, to permit last-minute changes to topics, deadlines, and specific guidance from OPA to the contractor regarding stories to be included and the extent of coverage desired.

Deliverables shall:

- include articles and broadcasts from major U.S. newspapers, national television and cable news, news weeklies, relevant magazines and journals, blogs, specialty press, etc.;

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- reflect understanding of EPA's mission and interests;
- characterize, when requested, the coverage such that EPA officials can quickly get a sense of how widely various story elements were run and what the general tone is; and
- provide links within the coverage to the original full-text versions and to streaming video of important television as originally broadcast.

All content is to be provided as described within the task descriptions, with the exception of the observed legal holidays below:

- New Year's Day
- Martin Luther King's Birthday Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day (two days: Thanksgiving Day and the day after Thanksgiving)
- Christmas day (two days: These days will vary based on which day of the week Christmas falls and will be worked out between EPA and the contractor.)
- Inauguration Day (when applicable)

At a minimum, the following outlets shall be included in the contractor's search for media clips:

AP	Independent Journal Review
Agri-Pulse	LA Times
Argus Media	Morning Consult
Axios	NPR
Bloomberg	NTK Network
Bloomberg BNA	NY Times
Boston Globe	The Oklahoman
Breitbart	PJ Media
Business Insider	Politico
CNN	Reuters
Chicago Tribune	Scientific American
Christian Science Monitor	Tulsa World
The Daily Caller	USA Today
E&E News	Wall Street Journal
Financial Times	Washington Examiner
Forbes	Washington Post
Fox News	Washington Times
The Guardian	Google News Keywords– EPA, Environmental
The Hill	Protection Agency, Scott Pruitt
Hot Air	

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**Tasks and Deliverables:**

**For Tasks 1 & 2**, the contractor shall seek to provide news stories relevant to EPA's mission, and, at a minimum, shall include the following topic areas:

- a. Administrator
- b. Air
- c. Brownfields/Superfund/Other cleanups
- d. Budget
- e. Climate Change
- f. Emergency Response
- g. Energy
- h. Enforcement
- i. Environmental Justice
- j. EPA
- k. Grants
- l. Hazardous waste
- m. International environmental agreements and disputes
- n. Pesticides
- o. Research and Development
- p. Rules/Regulations/Policy
- q. Toxics/TSCA
- r. Trash/recycling/composting/solid waste
- s. Tribal environmental issues
- t. Water

EPA may modify this topic area list by contacting the contractor as new or additional areas of focus arise.

**Task 1 – Deliver, via email, Near Live-Time Coverage of Relevant Individual Media Stories****Deliverables:**

The contractor shall deliver comprehensive, near live-time media coverage for high-priority events, announcements or issues. Delivery is to be made in individual emails which also include the name of the media outlet, the full text of the story, a link to the original source, and a brief (1-2 sentences) characterization of the tone of the story, all in an easily-readable, Section 508-compliant format. This "war room" type coverage will include rapid delivery of media stories. Delivery will be to a select list of approximately 30 OPA staff, as provided by OPA. Delivery shall be throughout the day as news stories are published and within 30 minutes of the time of publication. This deliverable shall be available seven days per week, from 8 AM to 11 PM Eastern Time, excluding holidays as defined in this statement of work. Note that, while emails shall typically be delivered with one story per email, multiple entries

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may be combined in a single email at the contractor's discretion. In either case, however, the email shall be sent within 30 minutes of all articles' publication.

Name	Due	Acceptance Criteria
Near Live-Time Coverage of Relevant Individual Media Stories	Due seven days per week, excluding holidays, from 8 AM – 11 PM Eastern Time on a rolling basis, throughout the day as news stories are published. All stories shall be sent to the OPA listserv within 30 minutes of publication.	<ul style="list-style-type: none"> <li>- Individual or combined story entries are delivered to appropriate recipients via email within 30 minutes of article publication.</li> <li>- Selected articles demonstrate an understanding of which issues are important to OPA</li> <li>- Each email includes the name of the media outlet, the full text of the story (when in print), a link to the original source, a brief summary (for tv and radio entries), and a brief indication of the story's tone.</li> <li>- Emails are in an easily-readable, Section 508-compliant format.</li> <li>- Updates to the recipient listserv are made within one (1) business day.</li> </ul>

## **Task 2 – Deliver, via E-Mail, Daily Compiled News Coverage of EPA and Environmental Issues, Including Trend Analysis**

### **Deliverables**

On Monday through Friday, excluding defined holidays, the contractor shall provide an e-mail compendium of news coverage relevant to EPA and environmental issues. These compendia are due twice daily at 8:00 AM and 3:00 PM Eastern Time. These deliveries shall consist of media stories from print, television and radio outlets. For print stories, the contractor shall provide the article title, full story content, and a link to the original full-text versions. Television and radio stories shall include a title, link, and brief summary of the content.

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The compendia shall include all Task 1 and Task 3 materials. The contractor will not be required to deliver any e-mails for this task on Saturdays, Sundays or observed holidays as defined in this statement of work. However, the first Monday and/or post-holiday e-mail delivery under this task shall also include content published since the preceding e-mail delivery on Friday or the day before the holiday, and shall include relevant content from all weekend and/or observed holiday days.

In addition to news clips, the compendia shall also include a trend analysis, to include key metrics such as:

- total volume of media reports;
- average favorability – percent favorable, neutral, and unfavorable;
- leading story focus;
- leading messages;
- leading spokespeople on key messages; and
- leading media type on key messages.

The above represents OPA's best idea of the trend analysis, but specifics will be worked out with the contractor after contract award.

These compendia, including trend analysis, will go to a listserv, maintained by the contractor, of approximately 600 people. Formatting of the compendia is at the discretion of the contractor, but they must be easy to read with a reasonable type and font size, and must be Section 508 compliant.

Name	Due	Acceptance Criteria
Compiled News Coverage of EPA and Environmental Issues	Due no later than 8:00 AM and again at 3:00 PM Eastern Time, Monday through Friday. Note that Monday 8:00 AM edition and any edition following a holiday will include relevant stories published during the time of the weekend and/or holiday.	<ul style="list-style-type: none"> <li>- Compendia arrive on time and to all recipients on vendor-maintained listserv.</li> <li>- Compendia use reasonable font and type size, and are Section 508 compliant.</li> <li>- Compendia include relevant articles gleaned from the OPA-provided list of key words.</li> <li>- Each compendium includes the name of the media outlet, the full text of the story (when in print), a link to the original source, a brief summary (for tv and radio entries), and a brief</li> </ul>

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		<p>indication of the story's tone for each story included.</p> <ul style="list-style-type: none"> <li>- Compendia include a trend analysis</li> <li>- Key word updates are incorporated no later than four (4) business hours from the time vendor is informed by OPA of change.</li> <li>- Updates to listserv are made within one (1) business day of time vendor is informed by OPA of changes.</li> </ul>
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### **Task 3 - Deliver, via E-mail, Near Live-Time Coverage of High-Priority News Stories**

#### **Deliverables**

In addition to the daily individual and compiled news coverage in Tasks 1 and 2, the contractor shall provide OPA staff with news stories on breaking news and high priority issues. This content will be limited to high priority issues and/or media outlets as determined on an ongoing basis through discussion between OPA and the contractor. This content is to be delivered on a rolling basis throughout the day as it is published, and within 30 minutes of publication, seven days per week from 8 AM – 11 PM. Emails shall be delivered to an OPA-provided list of approximately 30 individuals, and the list shall be maintained and updated as needed by the contractor.

Emails shall include the name of the media outlet, the full text of the story, a link to the original source, and a brief (1-2 sentences) characterization of the tone of the story, all in an easily-readable, Section 508-compliant format. Note that, while emails shall typically be delivered with one story per email, multiple entries may be combined in a single email at the contractor's discretion. In either case, however, the email must be sent within 30 minutes of all articles' publication.

Name	Due	Acceptance Criteria
Near Live-Time Coverage of High Priority New Stories	Due seven days per week, excluding holidays, from 8 AM – 11 PM Eastern Time on a	- Individual or combined story entries are delivered to appropriate recipients via email

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	<p>rolling basis, throughout the day as news stories are published. All stories shall be sent to the OPA listserv within 30 minutes of publication.</p>	<p>within 30 minutes of article publication.</p> <ul style="list-style-type: none"> <li>- Selected articles reflect both an understanding of which issues are of high priority to OPA, and also the topics determined through discussions between OPA and the vendor.</li> <li>- Each email includes the name of the media outlet, the full text of the story (when in print), a link to the original source, a brief summary (for tv and radio entries), and a brief indication of the tone of the story in an easily-readable, Section 508- compliant format.</li> <li>- Updates to the list of recipients are made within one (1) business day.</li> </ul>
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#### Task 4 – Deliver and Maintain Searchable Database of Past Media Stories

##### Deliverables

The contractor shall host and provide access to a Section 508-compliant database of all media content collected in carrying out Tasks 1, 2 and 3 of this statement of work. This database shall be accessible to approximately 30 OPA staff and provide them with the ability to search media content by topic, title, media outlet, and reporter name. Access to the database shall be available 24 hours per day, seven days per week, including holidays, with exceptions for scheduled maintenance. Database shall be available within 24 hours of contract award.

Name	Due (if applicable)	Acceptance Criteria
Searchable Database of Past Media Stories	Database shall be live within 24 hours of contract award and shall be updated continuously. Database shall be made available on a 24/7 basis with	<ul style="list-style-type: none"> <li>- Database is available within 24 hours of contract award.</li> <li>- Database is available on a 24/7, seven (7) days per week,</li> </ul>

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	<p>the exception of scheduled maintenance.</p>	<p>including holidays, with the exception of scheduled maintenance.</p> <ul style="list-style-type: none"> <li>- Database includes all media content collected in carrying out Tasks 1, 2, &amp; 3 of this statement of work, and also includes trend analyses from Task 2.</li> <li>- Database is searchable by topic, title, media outlet, and reporter name.</li> <li>- Database is updated continuously.</li> <li>- Database is Section 508 compliant.</li> </ul>
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### Supporting Information

The Period of Performance shall be for one year from date of contract award.

## Instructions to Offeror

Vendors shall submit a firm fixed price quote for the required services with a one (1) year base period. Price and technical quotes must be submitted as two distinct files, with the technical quote being no more than 15 pages, excluding past performance information, résumés, and the requested sample work (see technical approach evaluation factor below). The technical quote must be submitted electronically with standard letter sizing (8½" x 11") and 1 inch margins, and must use a reasonable font and font size, such as Calibri 11.

The price quote must detail pricing for the base period, and must include any necessary licensing fees (Factiva, Lexis Nexis or similar) used to provide the deliverables included in the Statement of Work.

Quotes are due no later than .

**Commented [TL1]:** Date and time here, per CO.

Questions regarding this procurement are due no later than. Questions received after that point may not be answered. All questions and offers must be submitted via FedConnect. FedConnect is a web portal that connects agencies and contractors to streamline the process of doing business with the federal government. There is no charge to use FedConnect. Contractors can register with FedConnect at [www.fedconnect.net/FedConnect/](http://www.fedconnect.net/FedConnect/). For assistance in registering, or for other FedConnect technical questions, contractors should call the FedConnect Help Desk at (800) 899-6665 or email at [support@fedconnect.net](mailto:support@fedconnect.net). Contractors not registered in FedConnect will not be able to respond to this posting.

**Commented [TL2]:** Date and time here, per CO.

The point of contact for this procurement is.

**Commented [TL3]:** Name and title, per CO.

## Evaluation Factors

The Government will award the Purchase Order based upon "Best Value" methodology using the following evaluation factors. For this requirement, all evaluation factors other than price, when combined, are significantly more important than price. The evaluation criteria, which are in descending order of importance, are as follows:

**Factor 1 – Technical Approach:** Offers will be evaluated on the extent to which they clearly describe an effective technical approach for accomplishing the tasks and requirements of the SOW, ensuring both quality of service and product and cost efficiencies. The offeror shall clearly describe the purpose, scope, and content of the proposed deliverables that will be produced in implementing the SOW. Additionally, offerors shall include a clear plan for the successful management of the contract. Finally, offerors shall include a comprehensive list of the publications that will be utilized in the performance of the work.

As part of the technical quote, OPA requests a sample of Tasks 1 and 2 (also excluded from the technical approach page limit). Task 1 shall be completed on the day before quotes are due. Task 2 shall be completed on the day quotes are due, no later than 8:00

**Commented [TL4]:** Date here, per CO.

**Commented [TL5]:** Date here, per CO.

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AM. In addition, OPA requests to see a live sample of the type of database required under Task 4. A link and any necessary login information should be provided with the quote.

**Factor 2 – Past Performance:** Offers will be evaluated on the quality of their past performance of projects of similar scope and size, complexity, and results to the requirements of this SOW. Offerors shall describe three (3) projects performed in the last five (5) years. For each reference, the offeror shall describe the scope and dollar value of the project, the offeror's approach to performing the work, the results of the project, the relevance of the work to the requirements of this RFQ, and the impact of the project on the customer's organization. The description shall include client references and contact information for each experience provided. References may be called to verify information.

**Factor 3 – Staffing Approach:** Offers will be evaluated on the quality, suitability, and probability of success of their proposed staffing plans. Offerors shall describe their staffing approach in the form of a staffing plan. The staffing plan shall include resumes for the personnel proposed for the purchase order. The plan shall describe the role and level of involvement of each proposed team member in implementing the SOW tasks. The plan shall describe the offeror's proposed procedure for replacing personnel when team vacancies occur. If key personnel are proposed, the plan shall identify the actual duration of their proposed assignment(s).

**Factor 4 – Price** - Offerors will be evaluated on the fairness and reasonableness of their proposed price, which will be compared against the proposed technical solution and the Government independent cost estimate.

The technical proposal will be reviewed, evaluated, and rated in accordance with the above 3 technical evaluation factors according to the following:

US Environmental Protection Agency ratings focus on the ability of the offeror to accomplish the goals outlined in the SOW as well as strengths and weaknesses demonstrated in the offeror's technical plan. Ratings will be assigned to each technical quote by the reviewer(s) based on the criteria above. In the case of more than one reviewer, the ratings will be assigned by consensus.

Adjectival Rating	Description
Exceptional	Greatly exceeds all minimum requirements of the criteria; has a high probability of success; contains no weaknesses or deficiencies.

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<b>Good</b>	Exceeds all the minimum requirements of the criteria; has an above average probability of success; contains no significant weaknesses and only minor, correctable weaknesses exist.
<b>Acceptable</b>	Meets all the minimum requirements of the criteria; has an average probability of success; no significant weaknesses and any deficiencies can be readily corrected.
<b>Marginal</b>	Fails to meet one or more of the minimum requirements of the criteria; low probability of success; major weaknesses and/or significant number of deficiencies exist.
<b>Unacceptable</b>	Fails to meet any of the minimum requirements of the criteria; proposal needs major revisions; very low probability of success.

Price will not receive an adjectival rating; rather it will be used to determine a successful quote.

#### Independent Government Cost Estimate

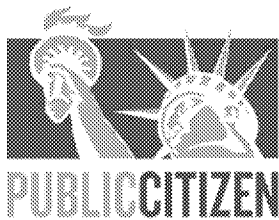
**Commented [TL6]:** CO: Is this sufficient?

EPA estimates that the cost for this service will be \$10,000 per month for a total of \$120,000 for the one-year life of the contract. Specifically:

\$7,500 per month for database x 12 months = \$90,000 / year

\$2,500 per month for clip service x 12 months = \$30,000 / year

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215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • [www.citizen.org](http://www.citizen.org)

December 18, 2017

Government Accountability Office  
General Counsel  
Attn.: Procurement Law Control Group  
441 G Street, NW.  
Washington, DC 20548

Sent via email to: [protests@gao.gov](mailto:protests@gao.gov)

To the Government Accountability Office:

I am writing on behalf of Fenton Communications and New Heights Communications to protest Environmental Protection Agency (EPA) contract EP18H000025, awarded on December 7, 2017 to Definers Corp.. This grant was awarded on a no-solicitation basis, even though the services sought are industry standard and could be performed by dozens of firms and organizations, including Fenton Communications and New Heights Communications. We are seeking a finding that the contract was impermissibly awarded on a no-bid basis, and a recommendation that the December 7 contract be rescinded and an open bidding process undertaken.

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New Heights Communications is a communications agency based in Washington, D.C. Among the many services New Heights Communications provides, it routinely collects news clips and provides analysis of media coverage of its clients. New Heights Communications has previously performed as a government subcontractor. New Heights Communications provides the services covered by EPA contract EP18H000025, so far as it can be determined what the contract involves, would have offered a bid if it had been solicited, and would bid for the contract if an open-bid process were to be held. New Heights Communications is an interested party for the purpose of filing a protest to contract EP18H000025.

## Basis for Protest

On December 7, 2017, the EPA awarded contract EP18H000025 to Definers Corp. for \$125,000.<sup>1</sup> The contract description states the contract is awarded for: “NEWS ANALYSIS AND BRIEF SERVICE FOCUSING ON EPA WORK AND OTHER TOPICS OF INTEREST TO EPA.”<sup>2</sup> The contract was not competed.<sup>3</sup> EPA noticed on November 29 that it planned to issue the contract on a sole-source basis with a similarly obscure contract synopsis that did not plainly describe the services sought: “Sole Source Notification for News analysis and brief service focusing on EPA work and other topics of interest to EPA.”<sup>4</sup>

News reports<sup>5</sup> indicate the contract is a successor contract to EP16H000137, a \$207,597 contract awarded on February 25, 2016 to Bulletin Intelligence, Inc.<sup>6</sup>

EPA spokesperson Nancy Grantham told Mother Jones, “The Definers contract is for media monitoring/newsclip compilation.” Another EPA spokesperson, Jahan Wilcox, told the New York Times, “Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.”

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Federal law establishes that full and open competition is the standard means for contracting.<sup>9</sup> There are exceptions to the strong presumption of competitive bidding. These include instances where this is “only one responsible source and no other supplies or services will satisfy agency

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requirements,” where there is an urgent condition, where there is a public interest rationale, or in national security and other grounds that are not relevant here.<sup>10</sup>

In the case of simplified acquisition procedures, for smaller-sized contracts, the law requires agencies to “promote competition to the maximum extent practicable.”<sup>11</sup> If a formal notice of contracting opportunity is not afforded, agencies are encouraged to “consider solicitation of at least three sources to promote competition to the maximum extent practicable.”<sup>12</sup> In determining whether to solicit competition, the contracting officers shall take into account a number of factors, including whether the service to be obtained is highly competitive, the urgency and dollar value of the contract, and past experience.<sup>13</sup> Sole-source solicitation is permitted where only one vendor is reasonably available, following the same general guidelines as regular contracting (e.g., urgency) or there is reason to use a sole-sourced brand-name product.<sup>14</sup>

All of these factors point to a single conclusion: Contract EP18H000025 should have been open to competitive bidding, or at minimum should have been awarded only after solicitation of at least three sources. The competition information provided at USASpending.gov states that the rationale for sole sourcing is that only one source is available.<sup>15</sup> This is plainly implausible. The desired service – assuming per media reports that it involves news clippings and is comparable to the predecessor contract – is highly competitive and there are many responsible sources that could provide the service. These include Fenton Communications, New Heights Communications, presumably the eight bidders for the predecessor contract, and literally dozens of other firms. It also would be unreasonable to assert urgent conditions necessitating sole-source contracting; the need for news clips is not a new development for EPA and indeed the agency had previously contracting for similar services. The only conceivable urgency is expiration of the prior contract. But if that contract was not extended, it should have expired nine months prior. At any point during that time or prior to expiration, the agency could have rebid the contract; and in general, agencies may not create urgent conditions by dint of failure to plan properly. Moreover, if the agency had gone approximately nine months without provision of the service, that suggests a lack of urgency and that EPA could have delayed weeks more for a properly bid contract. Past experience also counsels for competitive bidding: the predecessor contract was successfully bid competitively.

In light of the known facts, there is no public interest in a sole-source contract; in fact, this appears to a prototypical example of the need for competitive bidding. The agency is seeking a service that can be easily provided by dozens of firms; and the award of the contract on a sole-source basis suggests or at minimum creates the appearance that the public interest in competitive bidding is being thwarted and a contract allocated improperly to a politically connected firm.

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In light of the above, Fenton Communications and New Heights Communications request action by the Comptroller of the United States. The firms request that the contract EP18H000025 be rescinded and that a competitive tender be issued.

This bid protest is timely filed. The contract was awarded on December 7, 2017. Ten days later falls on Sunday, December 17; and so a filing on the next business day, December 18, is timely. Fenton Communications and New Heights Communications first learned of the contract through a news report in Mother Jones published on December 15.

Fenton Communications and New Heights Communications further request the following documents be provided to them:

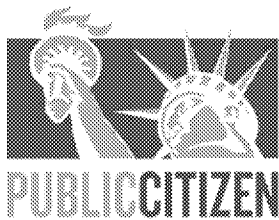
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Sincerely,



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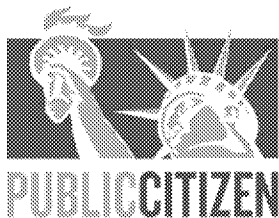
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Fenton Communications and New Heights Communications further request the following documents be provided to them:

- Written justification for the sole-source award, if any.
- Materials related to EPA's planning for this procurement, in advance of the November 29 sole-source announcement.
- Communications with contractor Definers Corp. in advance of the sole-source award.

These materials will help establish the grounds, or lack of grounds, for issuing the contract on a sole source basis.

Sincerely,



David J. Arkush, DC Bar No. 490385  
Managing Director, Climate Program  
PUBLIC CITIZEN  
215 Pennsylvania Ave, 3rd Floor  
Washington DC, 20003  
(202) 454-5132  
[darkush@citizen.org](mailto:darkush@citizen.org)

Message

---

**From:** Wilson, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AF76604C334046EF81611A859D0E0E14-WILSON, JESSICA]  
**Sent:** 12/19/2017 4:28:51 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** FW: Contract awarded 12/7/17

Definers Corp

--

**Julia Cotrone**

O: 571.290.5461 | C: 781.424.3491

Email:

[jcotrone@definerscorp.com](mailto:jcotrone@definerscorp.com)

*Jessica V. Wilson*  
*Contracting Officer*

**U.S. Environmental Protection Agency**  
**OARM/OAM/HPOD/PCSC**  
*Ronald Reagan Building #61178*  
*1200 Pennsylvania Ave. NW Mail Code: 3803R*  
*Washington, DC 20460*  
*Phone: 202-564-2504*  
*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

**From:** Julia Cotrone [<mailto:jcotrone@definerscorp.com>]  
**Sent:** Monday, December 11, 2017 11:17 AM  
**To:** Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>  
**Cc:** [jpounder@definerscorp.com](mailto:jpounder@definerscorp.com); Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>; Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>  
**Subject:** Re: Contract awarded 12/7/17

Hi Donna,

We working to amend this now - will be in touch shortly

On Mon, Dec 11, 2017 at 9:37 AM, Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)> wrote:

Hi Julia

Per my voice mail today. When can the Office of Administrator start using your services. Your quote indicates start date of 1/1/18. Please amend your quote to reflect period of performance, as to when the services start and end. Thanks so much!!!!.

Donna Dews

Contract Specialist

US Environmental Protection Agency

Office of Acquisition Management

HPOD/Program Contract Service Center

Washington, DC 20460

202-564-6752 (DIRECT)

Dews.donna@epa.gov

--

**Julia Cotrone**

O: 571.290.5461 | C: 781.424.3491

Message

**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 12/12/2017 7:42:00 PM  
**To:** Stewart, Keith [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a846970aa35e4e3486922c2aead4fb4e-KSTEWA02]  
**Subject:** FW: NOTICE WITH ATTACHMENT  
**Attachments:** JOFOC 11-29-17 -PR-OA-17-00132-Notice.pdf; NOTICE 68HE0H18B0002.pdf

FYI ☺

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

**From:** Dews, Donna  
**Sent:** Monday, December 11, 2017 2:49 PM  
**To:** Ben Kessler <ben.kessler@meltwater.com>  
**Cc:** Wilson, Jessica <Wilson.Jessica@epa.gov>; Plater, Lottie <Plater.Lottie@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>  
**Subject:** NOTICE WITH ATTACHMENT

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center  
Washington, DC 20460  
202-564-6752 (DIRECT)  
[Dews.donna@epa.gov](mailto:Dews.donna@epa.gov)

## Justification for Other than Full and Open Competition (JOFOC)

Authority: 41 U.S.C. 253(c), FAR PART 6.3

1. **Agency:** U.S. Environmental Protection Agency  
**Contracting Activity:** Office of Acquisition Management - Headquarters  
Procurement Operations Division  
**Contractor:** Definers Corp

2. **Nature and/or description of the action:**

EPA's Office of Public Affairs (OPA) is responsible for working with media to provide the public with timely, coherent information on environmental issues, and EPA actions and policies. Whether providing the media with press announcements; responding to media inquiries; or reacting to published stories, OPA works to achieve articles that accurately represent EPA's perspective. In order to accomplish this goal, OPA must constantly monitor media coverage and respond to inaccurate or incomplete stories. OPA may choose a number of methods to address these stories, including contacting reporters and editors to request corrections. OPA's ability to successfully address inaccurate or incomplete stories before the stories influence other reporters or are widely read is largely dependent on its ability to identify those stories shortly after publication, and OPA requires contractor support in order to do so.

3. **Description of the Supplies or Services:**

This is a sole source procurement subscription for a media support service. The service provides EPA with: 1) Intensive, near live-time "war room" coverage of media stories for specific topics, events or announcements; 2) access to a searchable database of past media content on EPA issues and topics; 3) a twice-daily compilation of news articles delivered once each business day by e-mail; and 4) high profile, breaking news stories during the day, delivered by e-mail. This service is vital to support the ability of EPA's Office of Public Affairs to fully monitor and respond quickly to breaking media coverage, which in turn supports EPA's ability to accurately provide information to the public on environmental and regulatory matters. This service also directly supports the Administrator and other senior EPA officials by providing them with timely updates on media stories.

Period of performance: One year from date of contract award

4. **Authority:** [Check appropriate exception.]

[X] Only One Responsible Source

**Authority:** 41 U.S.C. 253 (c) (1)

**FAR Cite:** FAR 6.302-1

5. **Describe how the contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:**

Definers offers a customizable and proprietary Console which brings together cutting-edge technology and human analysis to provide real-time actionable intelligence based on the most relevant information. It allows organizations to have a holistic view of what is occurring in the public domain with regards to their organization and relevant sectors, both domestically and globally.

Through the Console, Definers is able to revolutionize the utilization of media clips by implementing:

- Proprietary advanced search functions
- Standalone media clip database including perpetual retention so that information is always available regardless of email retention policies or other limitations of email platforms
- Ability to pre-load a customized Console with the issues, public figures, and news data relevant to customers, populated in real time
- Specially trained and experienced researchers to provide relevant and actionable analysis
- Digital and human analytics coverage throughout the day
- Media tags that are tailored to the customer's areas of interests, which allow for quick sorting and tracking of customized data streams.
- Delivered through a proprietary web interface which allows for email distribution as well.

6. **Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:**

A JOFOC and RFI notice will be posted on FedBizOpps (synopsized) and FedConnect for five calendar days.

7. **The contracting officer determines that the anticipated cost to the Government will be fair and reasonable due to the vendor's published rates, or other available price information.**

Yes, the CO has determined the cost to be fair and reasonable based on information received from the contractor.

8. **Description of the market research conducted (see FAR Part 10). If no market research was conducted, state the reasons:**

Leading providers Cision ([www.cision.com](http://www.cision.com)), Bulletin Intelligence ([www.bulletinintelligence.com](http://www.bulletinintelligence.com)), and Critical Mention ([www.criticalmention.com](http://www.criticalmention.com)) do not provide the combined services sought by EPA's Office of Public Affairs.

9. **Other facts supporting the use of other than full and open competition.**

Definers Corp. states that no other service gives their clients the high level and comprehensive search functions that it offers through its customized Console. Clients have the ability to tailor their tags and tailor who from their teams sees those tags. The storage and search functions of the Console are something no other clip service provides because they do not have the Definers proprietary Console.







*Response to:*

Media Support/News Analysis Service  
U.S. Environmental Protection Agency (EPA)

Response to Sole Source Notification: 68HE0H18B0002

29 November 2017

*Submitted by:*

TechMIS LLC  
12208 Woodlands Circle  
Dade City, FL 33525  
Phone: 813-494-6050  
Fax: 813-793-4885

For info: [steven.mains@techmis.com](mailto:steven.mains@techmis.com) or [burt.squires@techmis.com](mailto:burt.squires@techmis.com) or  
[harvey.glasgow@techmis.com](mailto:harvey.glasgow@techmis.com)

DUNS 135665169 (Service Disabled Veteran Owned Small Business)  
CAGE Code: 3L8X7  
Taxpayer Identification Number (TIN): 59-3671822

Authorized to Negotiate and Sign:

Dr. Steven Mains  
CEO, TechMIS LLC  
[steven.mains@techmis.com](mailto:steven.mains@techmis.com)  
Phone: 757-814-3598

Burt Squires  
Vice President, TechMIS LLC  
[burt.squires@techmis.com](mailto:burt.squires@techmis.com)  
Phone: 717-324-1342

Harvey Glasgow  
Controller, FSO, TechMIS LLC  
[harvey.glasgow@techmis.com](mailto:harvey.glasgow@techmis.com)  
Phone: 813-494-6050

*This response includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this response. However, if a contract is awarded to this offeror as a result of - or in connection with - the submission of these data, the Government shall have the right to duplicate, use or disclose the data to the extent provided in the resulting contract. The data subject to this restriction are contained in all sheets of the response.*

29 November 2017

Donna Dews  
HPOD/US Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 3803R  
Washington, DC 20460

Dear Ms. Dews,

TechMIS LLC is submitting the following response to solicitation 68HE0H18B0002 posted on the FBO as a Sole Source Notification on 11/29/17. We have the capability to perform all functions described in this solicitation in house.

TechMIS, a Service-Disabled Veteran-Owned Small Business (SDVOSB), is a leader in media monitoring, knowledge management and systems engineering and has successfully provided high-level media monitoring and News Briefing support to the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Labor (DOL), Immigration and Customs Enforcement (ICE), and U.S. General Services Administration (GSA). Our human-prepared News Briefing products directly serve nearly 50,000 government employees daily.

We request that the Government not award this contract without competition. Additionally, the Government can expedite the award to TechMIS via our newly-awarded GSA Schedule Contract (MOBIS Schedule 874-1) or by issuing a sole-source award to TechMIS as a Service Disabled Veteran-Owned Small Business (SDVOSB) under FAR 19.1406.

GSA Contract Number: GS-00F-215GA  
Contract Period: June 9, 2017 to June 8, 2022  
874-1: Integrated Consulting Services

Any and all questions about this response should be addressed to the following: Burt Squires, Vice President of TechMIS LLC at 12208 Woodlands Circle, Dade City, FL 33525. Mr. Squires has both signature and negotiation authority for this response. Mr. Squires can be contacted at 717-324-1342 or via email at [burt.squires@techmis.com](mailto:burt.squires@techmis.com).

Regards,



Steven Mains, PhD  
CEO & Managing Partner



Burton J. Squires  
Vice President & Partner



Harvey Glasgow  
Controller, FSO & Partner

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### **Executive Summary**

TechMIS has extensive in-house capability and significant experience providing News Briefing support to top-tier U.S. Government customers.

TechMIS ([www.techmis.com](http://www.techmis.com)), incorporated in the year 2000, is a Service Disabled Veteran-owned Small Business (verified by the Veteran's Administration) currently operating around the world. TechMIS is a leader in media monitoring, knowledge management and systems engineering and has successfully provided high-level media monitoring and News Briefing support to the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Labor (DOL), Immigration and Customs Enforcement (ICE), and U.S. General Services Administration (GSA). Our human-prepared News Briefing products directly serve nearly 50,000 government employees daily.

### **TechMIS Overview**

<b><u>Company Information:</u></b> Technology - Management & Innovative Solutions, LLC 12208 Woodlands Circle Dade City, FL 33525 <a href="http://www.techmis.com">www.techmis.com</a> Year Incorporated: 2000  CEO & Managing Partner: Steven Mains, PhD (757) 814-3598 Office (813) 793-4885 Fax <a href="mailto:steven.mains@techmis.com">steven.mains@techmis.com</a>	<b><u>Technical Contacts:</u></b> Burt Squires Vice President (717) 324-1342 <a href="mailto:burt.squires@techmis.com">burt.squires@techmis.com</a>  Harvey Glasgow Controller, FSO (813) 494-6050 <a href="mailto:harvey.glasgow@techmis.com">harvey.glasgow@techmis.com</a>
<b><u>Business Size/Status:</u></b> Certified by the Small Business Administration as a Service-Disabled Veteran-Owned Small Business (SDVOSB)  Average Revenues for the past 5 years: \$6M.	<b><u>Identifying Information</u></b> DUNS Number: 135665169 Cage Code: 3L8X7 Tax Id Number: 59-3671822 Company Structure: Corporation Registered in SAM.gov (as a SDVOSB)

Additionally, the Government can expedite the award to TechMIS via our newly-awarded GSA Schedule Contract (MOBIS Schedule 874-1) or by issuing a sole-source award to TechMIS as a Service Disabled Veteran-Owned Small Business (SDVOSB) under FAR 19.1406.

GSA Contract Number: GS-00F-215GA  
Contract Period: June 9, 2017 to June 8, 2022  
874-1: Integrated Consulting Services

<b>NAICS Code</b>	<b>Description</b>
334220	Radio and Television Broadcasting and Wireless
511140	Directory and Mailing List Publishers
517919	All Other Communications
518210	Data Processing, Hosting, and Related Services
519110	News Syndicates
519130	Internet Publishing and Broadcasting and Web Search Portals
519190	All Other Information Services
541330	Engineering Services
541430	Graphic Design Services
541611	Administrative Management and General Management
541614	Process, Physical Distribution, and Logistics Consulting Services
541618	Other Management Consulting Services
541690	Other Scientific and Technical Consulting Services
541712	Research and Development in the Physical, Engineering, and Life Sciences
541820	Public Relations Agencies
541910	All Other Information Services
541990	All Other Professional, Scientific, and Technical Services
561410	Document Preparation Services
611430	Professional and Management Development Training

<b>PSC Code</b>	<b>Description</b>
R499	Support - Professional: Other
R425	Support - Professional: Engineering/Technical
R405	Support - Professional: Operations Research/Quantitative Analysis
7630	Newspapers and Periodicals
R612	Support - Administrative: information Retrieval

### **SAM Registration**

Our annual Representations and Certifications (DUNS: 135665169) are on file with SAM (<https://www.sam.gov/>).

### **TechMIS Reps and Certs & NAICS/PCS codes**

Technology - Management & Innovative Solutions, LLC (TechMIS) has its Reps and Certs, NAICS and PSC codes on file in the System of Award Management (SAM) ([www.sam.gov](http://www.sam.gov)).

### **Copyright Holder Status**

TechMIS, through its relationships with numerous news gathering tools, is a copyright holder of a News Gathering Service. These relationships extend to the TechMIS team and provide the legal authority to collect and aggregate content on behalf of the EPA and its constituents.

### **Technical Capabilities**

TechMIS has extensive expert-level knowledge of the federal government and its missions. We understand that the Environmental Protection Agency (EPA) officials, employees and programs must be fully informed about important breaking and ongoing news and broadcast coverage from local, state and national daily newspapers, newspaper websites, television, radio, cable news, wire services, newsweeklies, relevant magazines and journals, internet sites, specialty trade press, legal journals, and high quality social media outlets (including blogs and Twitter). TechMIS has the capability to scan these sources across local, state, regional, national and international venues.

By virtue of our extensive experience providing news support to U.S. government customers, TechMIS has acquired unique insight and is highly adept in identifying news that Agency officials themselves would have identified as important and relevant to the mission of the Environmental Protection Agency (EPA).

In support of our ICE, HUD, DOL and GSA News Briefing contracts, TechMIS has pioneered formatting and delivery methods which have enabled our Briefing products to be accessed on handheld devices such as iPhone, iPad, Kindle, e-Readers, Android and Blackberry.

- *We have proven experience, a large seasoned editorial staff, and a robust supporting infrastructure to ensure comprehensive and on-time news delivery.*
- *Our prepared news documents are distinctly different from the low quality, off-target, automated clipping services that are prevalent in the industry.*
- *Our highly-refined and thoughtfully constructed products have a logical flow and are formatted for wide distribution. Our reports will make an immediate and positive impact across the EPA and its constituents.*

### **Past Performance**

#### **Support to the Department of Immigration and Customs Enforcement (ICE)**

TechMIS currently prepares the morning News Briefing for the Office of Public Affairs for the Department of Homeland Security's Immigration and Customs Enforcement (ICE). Because the ICE mission requires cognizance of Spanish-language news sources, we also provide a bi-lingual report with English translations and links to the native language stories. This News Briefing is delivered directly to and used by the Director of ICE, Mr. Thomas Homan, his senior staff, and their 19,000 employees. This product is also posted on the ICE's intranet and archived in a secure, searchable site. The ICE News Briefing is also delivered each morning by email to approximately 5600 Government-designated recipients. Since the inception of our ICE contract on 4/28/17, TechMIS has maintained our proud record of 100% on-time delivery.

ICE contract details are identified in the table below.

Contract number:	HSCEMS-17-C-00001
Name of the contracting officer:	Betty J. Johnson Contracting Officer 212-402-3240 <a href="mailto:Betty.J.Johnson@ice.dhs.gov">Betty.J.Johnson@ice.dhs.gov</a>
Name of the contracting officer's representative (COR) or commercial point of contact (POC):	Vincent Picard Immigration and Customs Enforcement Deputy Assistant Director, Office of Public Affairs (OPA)
COR or POC's telephone number and e-mail address:	202-732-4252 <a href="mailto:Vincent.M.Picard@ice.dhs.gov">Vincent.M.Picard@ice.dhs.gov</a>
Dollar amount per year as well as the total dollar value of the contract:	\$908,000 for the 5-year contract duration.
Contract tier (i.e. prime or sub):	Prime
Period of performance:	April 2017 to April 2022

ICE Testimonial (6/30/17) from Vincent M. Picard, Office of Public Affairs (OPA):

*"From the beginning of our contract, TechMIS has been forward leaning and flexible, exhibiting excellent customer service.*

*We have made a number of small adjustments to our briefing to improve flow and context, some at our suggestion and some from TechMIS. In each case, requested or discussed changes have been incorporated quickly and correctly.*

*From Day 1, TechMIS has delivered our briefing in a timely manner and with a professional look."*



The above testimonial underscores our excellent customer service, the forward-leaning nature of our products, our willingness to adapt and collaborate, and our ability to deliver a quality product from day 1.

We request that the Government not award this contract without competition. As a Service-Disabled Veteran-Owned Small Business, TechMIS has performed this exact task with distinction.

**Support to the Department of Labor (DOL)**

TechMIS currently prepares the morning News Briefing for the Department of Labor's (DOL) Office of the Assistant Secretary for Administration and Management (OASAM). This News Briefing is delivered directly to Secretary Alexander Acosta and used by him and his senior staff, including the DOL's Office of Public Affairs (OPA). This product is also posted on the DOL's intranet and ultimately serves over 16,000 personnel daily.

Contract number:	DOL-OPS-15-0011
Name of the contracting officer:	Jaye L. Roberson Contracting Officer (202) 693-7195 <a href="mailto:Roberson.Jeanetta@dol.gov">Roberson.Jeanetta@dol.gov</a>
Name of the contracting officer's representative (COR) or commercial point of contact (POC):	Stephen Barr Department of Labor Deputy Assistant Director, Office of Public Affairs (OPA)
COR or POC's telephone number and e-mail address:	202-693-4678 <a href="mailto:barr.g.stephen@dol.gov">barr.g.stephen@dol.gov</a>
Dollar amount per year as well as the total dollar value of the contract:	\$855,000 for the 5-year contract duration.
Contract tier (i.e. prime or sub):	Prime
Period of performance:	March 2015 – January 2020

The DOL News Briefing is delivered, by email, each morning to the DOL's senior staff each business day, Monday through Friday. Since the inception of our DOL contract on 1/15/14, TechMIS has prepared and released over 650 DOL News Briefings to date. We have the proud record of 100% on-time delivery.

- *A recent CPARS report rated our services to the DOL as "Exceptional" in all areas.*
- *From Stephen G. Barr, Senior Managing Director, DOL's Office of Public Affairs (and 29 year veteran of the Washington Post): "My thanks to you and your team for their efforts in producing the daily DOL News Briefing. The quality of the DOL brief is exceptional - you all are doing a great job."*

- *From Julie Day, Technical Monitor, DOL OASAM: "Overall, the contractor is always incredibly responsive to requests, and working with them is an easy process."*

**Support to the Department of Housing and Urban Development (HUD)**

TechMIS also provides both a Senior Executive and an Executive level News Briefing support to the Department of Housing and Urban Development (HUD). These products are delivered, by email, each morning to Secretary Carson and HUD's senior staff.

Contract number:	DU100A-13-C-04
Name of the contracting officer:	Katharina Washington 212-402-3240 <a href="mailto:Katharina.Washington@hud.gov">Katharina.Washington@hud.gov</a>
Name of the contracting officer's representative (COR) or commercial point of contact (POC):	Jereon Brown Housing and Urban Development General Assistant Secretary, Office of Public Affairs (OPA)
COR or POC's telephone number and e-mail address:	(202) 708-0980 x 6628 <a href="mailto:Jereon.M.Brown@hud.gov">Jereon.M.Brown@hud.gov</a>
Dollar amount per year as well as the total dollar value of the contract:	\$1,765K for the 5-year contract duration.
Contract tier (i.e. prime or sub):	Prime
Period of performance:	December 2012 – Sept 2018

TechMIS has provided this support since 12/1/12 and has supported over 1100 HUD news cycles to date. These products are also posted on the HUD's intranet, ultimately serving over 9,000 personnel daily.

From Jerry Brown, Deputy Assistant Secretary, Office of Public Affairs (OPA) on 9/28/17:

- *"Thank you for loading up the top with clips on our new Deputy Secretary. You saved the day for the Office of Public Affairs. Thank you!!!!!!."*

From our most recent CPARS report:

- *"TechMIS provides a high-quality product that goes to the Secretary of HUD every working day. The product is always relevant and easily understandable for Senior Decision-makers."*
- *"TechMIS has reacted rapidly to changes and new requirements. Our interactions are always positive and professional. Their management of this contract has been superb."*
- *"HUD has established a very good relationship with Burt Squires, Vice President, who is the 'hands-on' member of the management."*

**Summary Past Performance References and Contact Information**

Department of Labor (DOL)

Office of Public Affairs (OPA)

Stephen Barr  
Deputy Assistant Secretary, Office of Public Affairs  
Department of Labor  
[barr.g.stephen@dol.gov](mailto:barr.g.stephen@dol.gov)  
202-693-4678  
Date: March 2015 to Present

Wage and Hour Division (WHD)

Leah Blue  
Communications Team  
Department of Labor  
[Blue.Leah@dol.gov](mailto:Blue.Leah@dol.gov)  
202-693-0287

Housing and Urban Development (HUD)

Jereon Brown  
General Deputy Assistant Secretary  
Department of Housing and Urban Development  
Office of Communications and Marketing  
[Jereon.M.Brown@hud.gov](mailto:Jereon.M.Brown@hud.gov)  
(202) 708-0980 x 6628  
Date: September 2012 to Present

Katharina Washington  
Department of Housing and Urban Development  
Office of the Chief Procurement Officer  
[Katharina.Washington@hud.gov](mailto:Katharina.Washington@hud.gov)  
202-402-3240  
Date: September 2012 to Present

Immigration and Customs Enforcement (ICE)

Vincent Picard  
Deputy Assistant Director, Office of Public Affairs  
Immigration and Customs Enforcement  
[Vincent.M.Picard@ice.dhs.gov](mailto:Vincent.M.Picard@ice.dhs.gov)

202-732-4252

Date: April 2017 to Present

General Services Administration (GSA)

Steven Hoffman

United States General Services Administration

Office of Communications and Marketing

[steven.hoffman@gsa.gov](mailto:steven.hoffman@gsa.gov)

202-219-1805

Date: October 2011 to September 2013

### **Detailed Past Performance Summaries**

#### **Past Performance: Department of Immigration and Customs Enforcement (ICE)**

<b>Name of Contractor:</b> TechMIS LLC	
<b>Customer Name:</b> Department of Immigration and Customs Enforcement	
<b>Customer Address:</b> 801 I Street NW, Suite 900, Washington, DC 20410	
<b>Contract Number or Other Reference:</b> HSCEMS-17-C-00001	
<b>NAICS Code:</b> 519190 - All Other Information Services	
<b>Type of Contract:</b> Firm Fixed Price (FFP)	
<b>Date of Project Award:</b> April 2017	<b>Total Project Price (to include all options):</b> \$908K
<b>Period of Performance (to include all options)</b> April 2017 – April 2022	<b>Clearance Required (If yes, specify level)</b> NO
<b>Number of Service Hours Per Annum:</b> FFP	<b>Quantity of personnel supporting the effort:</b> 4
<b>Technical point of contact:</b> Vincent Picard Immigration and Customs Enforcement Deputy Assistant Director, Office of Public Affairs 202-732-4252 <a href="mailto:Vincent.M.Picard@ice.dhs.gov">Vincent.M.Picard@ice.dhs.gov</a>	<b>Contracting or purchasing point of contact:</b> Betty J. Johnson Contracting Officer's Representative 212-402-3240 <a href="mailto:Betty.J.Johnson@ice.dhs.gov">Betty.J.Johnson@ice.dhs.gov</a>
<b>Geographic Location of work:</b> VA, PA, TN, WA, DC	
<b>Brief Description of Work Performed:</b> <p>TechMIS provides executive-level News Briefing Services for the Immigration and Customs Enforcement. This Brief is delivered, by email, each morning to the ICE department staff (approximately 5600 personnel) and is posted and archived on both the ICEDaily website (which TechMIS administers). Content is also posted to ICE's own Intranet (for direct access by all ICE employees).</p> <p>Services include the following:</p> <ul style="list-style-type: none"> <li>• Brief delivered promptly at 8:00 AM, weekdays.</li> <li>• Maintenance of an archival site for all delivered content.</li> </ul>	
<b>Identification of Team Members/Subcontractors and the role played by each member:</b> <p>Burt Squires supports this effort as Program Manager. Mr. Squires manages the TechMIS's entire Media Monitoring team.</p>	
<b>Recommendation/Reference (completed by customer)</b> <p>At a recent customer meeting, ICE praised our product and indicated that they were "very pleased." TechMIS has achieved the notable record of 100% on-time delivery of all products since the contract's inception. This contract is brand new, but initial comments from the customer indicate that the product is superior to the product previously delivered by Bulletin Intelligence.</p>	

**Past Performance: Department of Labor (DOL)**

<b>Name of Contractor:</b> TechMIS LLC	
<b>Customer Name:</b> Department of Labor	
<b>Customer Address:</b> 200 Constitution Ave., NW	
<b>Contract Number or Other Reference:</b> DOL-OPS-15-0011	
<b>NAICS Code:</b> 519190 - All Other Information Services	
<b>Type of Contract:</b> Firm Fixed Price (FFP)	
<b>Date of Project Award:</b> March 2015	<b>Total Project Price (to include all options):</b> \$855K
<b>Period of Performance (to include all options)</b> March 2015 – January 2020	<b>Clearance Required (If yes, specify level)</b> NO
<b>Number of Service Hours Per Annum:</b> FFP	<b>Quantity of personnel supporting the</b>
<b>Technical point of contact:</b> Stephen Barr Department of Labor Office of the Public Affairs (OPA) U.S. Department of Labor 200 Constitution Ave., NW Washington, DC 20210 202-693-4678 <a href="mailto:barr.g.stephen@dol.gov">barr.g.stephen@dol.gov</a>	<b>Contracting or purchasing point of contact:</b> Jaye L. Roberson Contracting Officer Office of Procurement Services US Department of Labor 200 Constitution Ave. NW Washington, DC 20210-0001 (202) 693-7195 <a href="mailto:Roberson.Jeanetta@dol.gov">Roberson.Jeanetta@dol.gov</a>
<b>Geographic Location of work:</b> VA, PA, TN, WA, DC	
<b>Brief Description of Work Performed:</b> <p>TechMIS provides executive-level News Briefing Services for the Department of Labor. This Brief is delivered, by email, each morning to the DOL's senior staff 6:30 AM EST each business day, Monday through Friday.</p> <p>The Brief we prepare each morning is tailored specifically for the Secretary of Labor, Alex Acosta. Additionally, the Brief supports all Office of Public Affairs offices throughout the Department of Labor.</p>	
<b>Identification of Team Members/Subcontractors and the role played by each member:</b> <p>Burt Squires supports this effort as Program Manager. Mr. Squires manages TechMIS's entire Media Monitoring team.</p>	
<b>Recommendation/Reference (completed by customer):</b> <p>At a recent customer meeting, DOL praised our support, characterizing it as "impressive" and further indicating "we are quite pleased".</p> <p>TechMIS has achieved the notable record of 100% on-time delivery of all products since the contract's inception.</p>	

**Past Performance: Department of Housing and Urban Development (HUD)**

<b>Name of Contractor:</b> TechMIS LLC	
<b>Customer Name:</b> Department of Housing and Urban Development	
<b>Customer Address:</b> 451 7 <sup>th</sup> Street S.W., Washington, DC 20410	
<b>Contract Number or Other Reference:</b> DU100A-13-C-04	
<b>NAICS Code:</b> 519190 - All Other Information Services	
<b>Type of Contract:</b> Firm Fixed Price (FFP)	
<b>Date of Project Award:</b> December 2012	<b>Total Project Price (to include all options):</b> \$1,765K
<b>Period of Performance (to include all options)</b> December 2012 – Sept 2018	<b>Clearance Required (If yes, specify level)</b> NO
<b>Number of Service Hours Per Annum:</b> FFP	<b>Quantity of personnel supporting the effort:</b> 5
<b>Technical point of contact:</b> Jereon Brown General Deputy Assistant Secretary Department of Housing and Urban Development Office of Communications and Marketing <a href="mailto:Jereon.M.Brown@hud.gov">Jereon.M.Brown@hud.gov</a> (202) 708-0980 x 6628	<b>Contracting or purchasing point of contact:</b> Katharina Washington 451 7 <sup>th</sup> Street S.W. Washington, DC 20410 212-402-3240 <a href="mailto:Katharina.Washington@hud.gov">Katharina.Washington@hud.gov</a>
<b>Geographic Location of work:</b> VA, PA, TN, WA, DC	
<p><b>Brief Description of Work Performed:</b>  TechMIS provides executive-level News Briefing Services for the Department of Housing and Urban Development. This Brief is delivered, by email, each morning to the HUD's senior staff (350 personnel) and is posted and archived on both the HUDDaily website (which TechMIS administers). Content is also posted to HUD's own Intranet (for direct access by HUD's 9,000 employees).</p> <p>Services include the following: Priority Brief delivered promptly at 6:45 AM, weekdays; Full Brief delivered promptly at 7:00 AM, weekdays; Posting of all representative content to HUDDaily website on a daily basis. The Brief we prepare each morning is tailored specifically for the Secretary of Housing and Urban Development, Dr. Ben Carson. Additionally, the Brief supports all Office of Public Affairs offices throughout the Department of Housing and Urban Development.</p>	
<p><b>Identification of Team Members/Subcontractors and the role played by each member:</b>  Burt Squires supports this effort as Program Manager. Mr. Squires manages the TechMIS's entire Media Monitoring team.</p>	
<p><b>Recommendation/Reference (completed by customer)</b>  "HUD has established a very good relationship with Burt Squires, Vice President, who is the "hands-on" member of the management." (From recent HUD Performance Appraisal)</p> <p>At a recent customer meeting, HUD praised our continuing support. TechMIS has achieved the notable record of 100% on-time delivery of all products since the contract's inception.</p>	

# METRIC<sup>TM</sup>

## **Monitoring • Engagement • Tailored Reporting • Information Collection**

TechMIS METRIC<sup>TM</sup> is a news collection and briefing approach that combines today's cutting-edge news collection technology with hands-on human intelligence to create succinct and relevant news products.

Automated news harvesting platforms have flooded the market. While helpful, these platforms deliver a barrage of unfocused, irrelevant news creating proverbial "garbage-in, garbage-out" news products.

TechMIS analysts also utilize these advanced technologies, but consider them just one tool in a toolbox of news monitoring techniques. Our analysts collect relevant news using a layered, multi-faceted collection approach. Techniques include state-of-the-art news harvesting engines, hand checks of critical sources and even hands-on paper copy reviews of select newspapers. This layered "human touch" ensures relevant news is captured in its entirety.

TechMIS has expert-level knowledge of state and federal government offices and their missions and fully understands that officials, employees and programs must start each day fully informed about important breaking and ongoing news and broadcast coverage from major newspapers, newspaper websites, television, radio, cable news, wire services, newsweeklies, relevant magazines and journals, internet sites, specialty trade press, blogs and social media. Our state-of-the-art tools and techniques, combined with hands-on human

*Is your current media monitoring solution leaving you a bit clouded?*



*Is your current news solution giving you a clouded view of the news that is important and most relevant to your organization?*



*Our comprehensive METRIC<sup>TM</sup> solution brings calm and focus to the news that is most important to you.*



## Why TechMIS?

**For starters, TechMIS products serve over 50,000 U.S. Government personnel daily!**

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### Key Advantages offered by the TechMIS team

The depth and breadth of our news sources ensures complete and real-time capture of relevant and pertinent news.

- Proven track record of supporting high profile customers [Secretary, U.S. Department of Homeland Security; Secretary, U.S. Department of Labor; Secretary, U.S. Department of Housing and Urban Development; Administrator (Secretary-equivalent), U.S. General Services Administration] in highly dynamic news environments.
- Proven news infrastructure in place with established tools and techniques.
- Time-tested, deadline-driven analysts ready and available to support this effort.
- Access to an unparalleled body of news sources. These sources, collectively, represent the capability to capture news on a local, state, regional, national and global scale.
- Excellent, established news harvesting platform with the flexibility to add, remove or modify keywords and adjust search syntax and terminology.
- Access to social media and related content.
- Our distributed products are mobile friendly.
- Exceptional 24/7 customer service. We are flexible and responsive!

### News Sources

The depth and breadth of our news sources ensures complete and real-time capture of relevant and pertinent news. The TechMIS team has access to an unparalleled body of domestic and international news sources numbering in the hundreds of thousands. These sources, collectively, represent news capture on a local, state, regional, national and global scale.

- Government (16,300+) – local and federal government websites (such as the State Department and the White House)
- News (40,000+) – large and small newspapers, trade press, magazines, television and radio, online news sources and wire services
- Broadcast coverage (2000+) local, state, national and international outlets
- Policy (8,500+) - think tanks, advocacy groups, trade associations
- Blogs (400,000+)
- Social Media – Twitter and Facebook

## Accolades

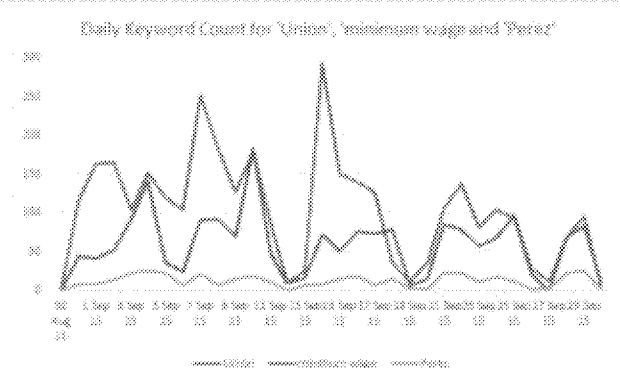
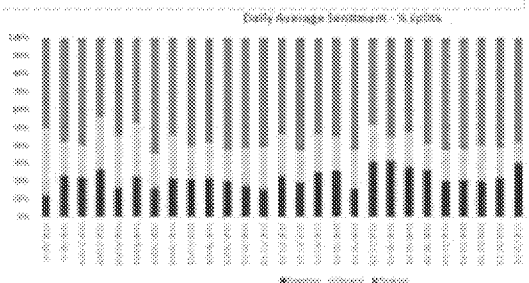
### Don't take it from us – here's what our customers are saying

- *"TechMIS provides a high-quality product that goes to the Secretary of HUD every working day. The product is always relevant and easily understandable for Senior Decision-makers." "TechMIS is responsible for delivering the news clips twice a day in the morning and has never submitted a late deliverable. TechMIS has established a precedence of uncanny punctuality." "The news clips are always formatted and presented in an orderly fashion for easy reading." - **Housing and Urban Development***
- *"TechMIS is always incredibly responsive to requests, and working with them is an easy process." - **Department of Labor***
- *"Many recipients of the daily news report summary are very impressed and 'LOVE' the new look of the report digest [in comparison to the previous vendor]. So good job! And keep up the amazing work. It is definitely being recognized! Your efforts, work, and support for our organization are sincerely appreciated." "In the 20+ years that GSA has been contracting for News Briefs, the TechMIS-prepared Brief is the best and most comprehensive ever." - **General Services Administration***

## Analysis

TechMIS offers a variety of quantitative and qualitative analytical and reporting capabilities.

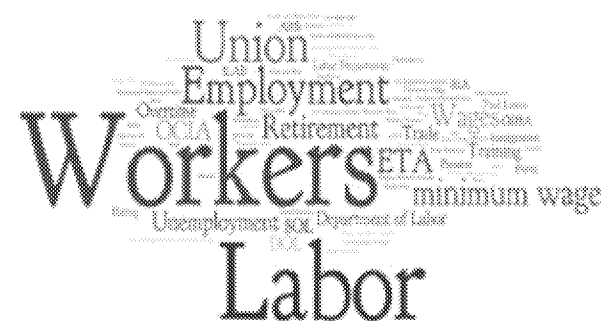
Our analysts can perform and graph sentiment scoring in a variety of insightful ways. These graphs are an extremely helpful tool to help uncover and highlight notable occurrences and trends.



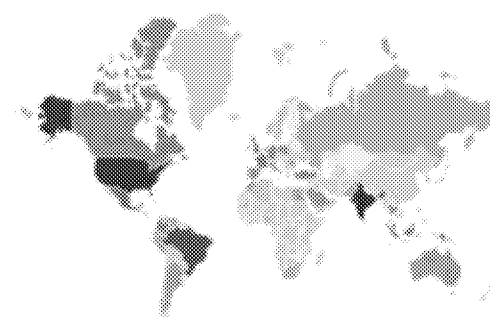
Our news monitoring and harvesting platform provides our analysts the ability to perform trend analysis on topics and keywords.

Our analysts have the ability to analyze the tone/sentiment of a particular topic or storyline and chart how it changes over time. These tonal analyses can include any date range and extend as far back as the contract start date.

METRIC™ is adept at creating those popular and useful word clouds. Quickly determine which words rise above the fray!



Insight into the content we include is just a click away. Real-time logging keeps track of how many times a particular article was viewed so that content can be tailored to best suit the readership. Real-time metrics such as the geographic distribution of clicks and other intuitive graphs and charts are always ready-at-hand.



## Justification for Other than Full and Open Competition (JOFOC)

Authority: 41 U.S.C. 253(c), FAR PART 6.3

1. **Agency:** U.S. Environmental Protection Agency  
**Contracting Activity:** Office of Acquisition Management - Headquarters  
Procurement Operations Division  
**Contractor:** Definers Corp

2. **Nature and/or description of the action:**

EPA's Office of Public Affairs (OPA) is responsible for working with media to provide the public with timely, coherent information on environmental issues, and EPA actions and policies. Whether providing the media with press announcements; responding to media inquiries; or reacting to published stories, OPA works to achieve articles that accurately represent EPA's perspective. In order to accomplish this goal, OPA must constantly monitor media coverage and respond to inaccurate or incomplete stories. OPA may choose a number of methods to address these stories, including contacting reporters and editors to request corrections. OPA's ability to successfully address inaccurate or incomplete stories before the stories influence other reporters or are widely read is largely dependent on its ability to identify those stories shortly after publication, and OPA requires contractor support in order to do so.

3. **Description of the Supplies or Services:**

This is a sole source procurement subscription for a media support service. The service provides EPA with: 1) Intensive, near live-time "war room" coverage of media stories for specific topics, events or announcements; 2) access to a searchable database of past media content on EPA issues and topics; 3) a twice-daily compilation of news articles delivered once each business day by e-mail; and 4) high profile, breaking news stories during the day, delivered by e-mail. This service is vital to support the ability of EPA's Office of Public Affairs to fully monitor and respond quickly to breaking media coverage, which in turn supports EPA's ability to accurately provide information to the public on environmental and regulatory matters. This service also directly supports the Administrator and other senior EPA officials by providing them with timely updates on media stories.

Period of performance: One year from date of contract award

4. **Authority:** [Check appropriate exception.]

[X] Only One Responsible Source

**Authority:** 41 U.S.C. 253 (c) (1)

**FAR Cite:** FAR 6.302-1

5. **Describe how the contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:**

Definers offers a customizable and proprietary Console which brings together cutting-edge technology and human analysis to provide real-time actionable intelligence based on the most relevant information. It allows organizations to have a holistic view of what is occurring in the public domain with regards to their organization and relevant sectors, both domestically and globally.

Through the Console, Definers is able to revolutionize the utilization of media clips by implementing:

- Proprietary advanced search functions
- Standalone media clip database including perpetual retention so that information is always available regardless of email retention policies or other limitations of email platforms
- Ability to pre-load a customized Console with the issues, public figures, and news data relevant to customers, populated in real time
- Specially trained and experienced researchers to provide relevant and actionable analysis
- Digital and human analytics coverage throughout the day
- Media tags that are tailored to the customer's areas of interests, which allow for quick sorting and tracking of customized data streams.
- Delivered through a proprietary web interface which allows for email distribution as well.

6. **Describe the efforts made to ensure that offers are solicited from as many potential sources as practicable:**

A JOFOC and RFI notice will be posted on FedBizOpps (synopsized) and FedConnect for five calendar days.

7. **The contracting officer determines that the anticipated cost to the Government will be fair and reasonable due to the vendor's published rates, or other available price information.**

Yes, the CO has determined the cost to be fair and reasonable based on information received from the contractor.

8. **Description of the market research conducted (see FAR Part 10). If no market research was conducted, state the reasons:**

Leading providers Cision ([www.cision.com](http://www.cision.com)), Bulletin Intelligence ([www.bulletinintelligence.com](http://www.bulletinintelligence.com)), and Critical Mention ([www.criticalmention.com](http://www.criticalmention.com)) do not provide the combined services sought by EPA's Office of Public Affairs.

9. **Other facts supporting the use of other than full and open competition.**

Definers Corp. states that no other service gives their clients the high level and comprehensive search functions that it offers through its customized Console. Clients have the ability to tailor their tags and tailor who from their teams sees those tags. The storage and search functions of the Console are something no other clip service provides because they do not have the Definers proprietary Console.



Message

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 12/19/2017 8:45:08 PM  
**To:** Group DDC-Customer [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f01e7670c6124d009f720f5def003217-DDC-Custome]; jpounder@definerscorp.com; jcotrone@definerscorp.com  
**CC:** Dews, Donna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8cd99df2c6fe486496b3b06eaa87f987-Dews, Donna]; Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]  
**Subject:** PO\_EP18H000025\_1\_HQ [URGENT]  
**Attachments:** PO\_EP18H000025\_1\_HQ.pdf

**Contractor:** Definers Corp  
**Purchase Order No.:** EP-18-H-000025  
**Purchase Order Modification No.:** P00001  
**Purchase Order Title:** News Analysis Service

**Subject:** Unilateral Modification No. P00001

Please find attached modification P00001 to purchase order no. EP-18-H-000025 in order to cancel/terminate this order in its entirety via a Termination for the Government's Convenience effective December 19, 2017 and per the Contracting Officer's (CO's) conversation with Julia Cotrone with Definers Corp this morning. The Contractor shall immediately acknowledge receipt of this modification via email (please **DO NOT** include Group DDC-Customer) upon receipt of this email and correspondence and provide the signed page 2 of 7 to [brown.rayna@epa.gov](mailto:brown.rayna@epa.gov) and [dews.donna@epa.gov](mailto:dews.donna@epa.gov) within two (2) business days. Let me know if you have any questions.

Thank you and have a nice day! ☺

Kind regards,

Rayna Brown  
Service Center Manager, Contracting Officer  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC

Message

**From:** Dews, Donna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8CD99DF2C6FE486496B3B06EAA87F987-DEWS, DONNA]  
**Sent:** 12/4/2017 4:24:27 PM  
**To:** Gosnell, Jody [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f489f642c624968ac8785b093b42381-Jgosnell]  
**CC:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]; Plater, Lottie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7194d288133242d8ac2fbea47312fe83-PLATER, LOTTIE]  
**Subject:** RE: Milestones Data Call  
**Attachments:** PR-OA-17-00132 MSPLAN.pdf; PR-OA-17-00145 MSPLAN.pdf; PR-OCSP-17-00393 MSPLAN.pdf; PR-OCSP-17-00398 MSPLAN.pdf

Jody

The milestone plan is named with PR# and APP#

- 1) A list of each PR and APP number (if one applies) For example: PR-XXX-XX-XXXXX/APP-XX-XX-XXXX
  - a) PR-OA-17-00145 Milestone created 10/24/2017 updated 11/23/17- SBA Offering letter sent on 11/28/17
  - b) PR-OCSP-17-00393 Milestone created 09/12/2017 Awarded 10/28/17
  - c) PR-OCSP-17-00398 Milestone Plan created 9/12/2017 Awaiting Contracting Officer signature or feedback
  - d) PR-OA-17-00132 Milestone Plan created on 8/2/2017 by Jody Gosnell-APP-OA-18-00001 - Once finalized documents approved the milestone plan will be updated - I do not have access because Michael Quarles created
  - e) ) PR-OCSP-17-00061 - Milestone Plan created 6/2/2017 by Jody Gosnell According Bryan Lobar he will be amending this PR. Incomplete APP-OCSP-16-00001 - Finalizing remaining documents
- 2) Confirm you have given me access to the PR/APP/milestone – I have given you access to the PR#s and APP#S – I have given you access to the PR's and APP#S excluding the Milestone plan created by yourself on PR-OCSP-17-00061 – You already have full access to APP-OCSP-16-00001 and APP-OA-18-00001 created by Michael Quarles – he would have to give you access because he created, I am unable to perform function in EAS
- 3) Copy of milestones attached.

Please let me know if I have complied to your request. Thanks.

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center  
Washington, DC 20460  
202-564-6752 (DIRECT)  
Dews.donna@epa.gov



**From:** Gosnell, Jody  
**Sent:** Thursday, November 30, 2017 4:22 PM  
**To:** Dews, Donna <Dews.Donna@epa.gov>  
**Cc:** Plater, Lottie <Plater.Lottie@epa.gov>  
**Subject:** RE: Milestones Data Call

Thanks Donna. I appreciate all the information. Can you please also attached a copy of the milestones and send it to me.  
Thanks, Jody

*Jody Gosnell  
Contracting Officer/Team Leader  
Headquarters Procurement Operations Division  
Office of Acquisition Management  
Office: (202) 564-4353  
Email: [gossnell.jody@epa.gov](mailto:gossnell.jody@epa.gov)*

**From:** Dews, Donna  
**Sent:** Thursday, November 30, 2017 4:19 PM  
**To:** Gosnell, Jody <Gosnell.Jody@epa.gov>  
**Cc:** Plater, Lottie <Plater.Lottie@epa.gov>  
**Subject:** RE: Milestones Data Call

Jody

I apologize, I have created Milestone plans for all requisitions assigned except for PR-OCSPP-17-00384 assigned on 11/15/17, I am no longer the buyer on this CAS file.

PR-OA-17-00145 - This file belongs to Jessica Wilson box it is my workload box and am no longer buyer on to related contract.

PR-OCSPP-17-00393 Milestone Plan-Awarded 10/28/17 EP-G18H-01441 Signed off on by Keith Westry 10/28/17

PR-OA-17-00132 Milestone plan created 8/7/17 OR 8/2/17 last updated 11/30/17

PR-OCSPP-17-00061 I 6/1/17 plan created- a replaced PR will be completed once Bryan Lobar finalized remaining

PR-OIG-17-00039 Zero Dollar PR - do not know why in-box EAS workload- NO MILESTONE PLAN created  
Documents

I hope all the information I have sent you addresses your concerns, if not get back to me.

Thanks.

Donna

**From:** Dews, Donna  
**Sent:** Thursday, November 30, 2017 9:54 AM  
**To:** Gosnell, Jody <[Gosnell.Jody@epa.gov](mailto:Gosnell.Jody@epa.gov)>  
**Cc:** Plater, Lottie <[Plater.Lottie@epa.gov](mailto:Plater.Lottie@epa.gov)>  
**Subject:** RE: Milestones Data Call

Jody

I have no idea what you are talking about.

---

**From:** Gosnell, Jody  
**Sent:** Thursday, November 30, 2017 9:52 AM  
**To:** Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>  
**Subject:** FW: Milestones Data Call

Hi Donna,

I am re-forwarding this to you based on the email you sent me with the subject of "Workload". You sent me the information and I thought you were responding to this email. If you weren't responding to this email then I am not sure why you sent me that information. Can you please confirm if that email was in response to this data call? Thanks, Jody

*Jody Gosnell  
Contracting Officer/Team Leader  
Headquarters Procurement Operations Division  
Office of Acquisition Management  
Office: (202) 564-4353  
Email: [gosnell.jody@epa.gov](mailto:gosnell.jody@epa.gov)*

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**From:** Gosnell, Jody  
**Sent:** Wednesday, November 29, 2017 1:00 PM  
**To:** McElroy, Genine <[McElroy.Genine@epa.gov](mailto:McElroy.Genine@epa.gov)>; Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>; Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>; Ward, Eric <[ward.eric@epa.gov](mailto:ward.eric@epa.gov)>; Westry, Keith <[Westry.Keith@epa.gov](mailto:Westry.Keith@epa.gov)>; Fagan, Sheila <[Fagan.Sheila@epa.gov](mailto:Fagan.Sheila@epa.gov)>  
**Cc:** Brown, Rayna <[brown.rayna@epa.gov](mailto:brown.rayna@epa.gov)>  
**Subject:** Milestones Data Call

Hello All,

In order to meet managements requirement to have a milestone created for each PR within 3 days of being assigned the PR, please provide me with the following information by Friday, December 2017. If you are on leave or not working on Friday, please submit the information to me before you leave on Thursday, November 30, 2017. I will need you to provide the following information:

- 1) A list of each PR and APP number (if one applies) For example: PR-XXX-XX-XXXXXX/APP-XX-XX-XXXX (please do not send me a copy of what is in your workload)
- 2) Confirm you have given me access to the PR/APP/milestone
- 3) Provide a copy of the milestone with the notes via an attachment.

Eric I do not need the information for any PRs that you are working on from the SAP team. If you have any questions please let me know. Thanks, Jody

*Jody Gosnell  
Contracting Officer/Team Leader  
Headquarters Procurement Operations Division  
Office of Acquisition Management  
Office: (202) 564-4353  
Email: [gosnell.jody@epa.gov](mailto:gosnell.jody@epa.gov)*

## Milestone Plan Report

Page 1 of 3

Name: PR-OA-17-00132

Date: 12/04/2017

Calculate Using: Calendar Days

Template Name: EPA DELIVERY ORDER

Link: PR-OA-17-00132

Owner: Donna Dews

Description:

Requested by: DDEWS

Seq #	Description	PALT	Original Date	Days Susp	Actual PALT	Actual Date	Projected Date	Lock	Diff.
1	PR Received(1)	0	08/02/2017		-12	07/21/2017	08/02/2017	N	-12
2	Procurement Package Complete(2)	30	09/01/2017		132	11/30/2017	08/20/2017	N	102
3	Award Date(3)	30	10/01/2017				12/30/2017	N	0
	Total PALT: 60								
	Sum of the Diff: 90								
	(1)Awaiting JOFOC. Sent sample JOFOC 8/16/17. Jody and I working with Quarles and Hull to get order done. Meeting 10/30/17 All documents will be finalized (SOW; IGCE; EVAL FACTORS and APP prepared by Michael Quarles; solicitation would be put out for 5 days and as a fixed price contract. 11/2/17 sent email of updated documents to everyone. Complete package to be submitted by early next week. Face to meeting with N. Grantham; Tricia Lynn; Michael Quarles; JGosnell; DDews - In meeting it was decided that Michael Quarles would be the COR until Tricia Lynn updated her certification on 10/30/17. Solicitation/Special Notice message sent to FBO/Fedconnect that a sole source procurement for Media support/News Analysis with								

Name: PR-OA-17-00132

Date: 12/04/2017

Calculate Using: Calendar Days

Template Name: EPA DELIVERY ORDER

Link: PR-OA-17-00132

Owner: Donna Dews

Description:

Requested by: DDEWS

Seq #	Description	PALT	Original Date	Days Susp.	Actual PALT	Actual Date	Projected Date	Lock	Diff.
	the intended awardee Definers Corp. on 11/29/17 On 11/8/17 received Final SOW to be approved by CO- still awaiting JOFOC and Quote from Vendor.  (2)8/15/17 Conference call with prospective contractor and OA persons Quarles, Hull and Jody Gosnell,Team lead and myself to discuss period of performance; sam.gov registration. 8/25/17 - Reviewed SOW and JOFOC and email from George Hull and sent changes and specifics needed to get a finalized SOW and JOFOC and to make aware that even though a sole source requirement request we would be sending out and RFI through Fedbizopps and Fedconnect once everything is received Reviewed documents, need Quote. Michael Quarles will be putting documents into APP per Team Lead Jody Gosnell.  (3)Final SOW 11/8/17 from Tricia Lynn. Still awaiting updated/quote								

Name: PR-OA-17-00132

Date: 12/04/2017

Calculate Using: Calendar Days

Template Name: EPA DELIVERY ORDER

Link: PR-OA-17-00132

Owner: Donna Dews

Description:

Requested by: DDEWS

Seq #	Description	PALT	Original Date	Days Susp.	Actual PALT	Actual Date	Projected Date	Lock	Diff.
	<p>from Vendor and JOFOC from OA. 11/16/17 - Cost Breakdown received from Definers, Corp. asked Team Lead if this was acceptable as a quote- need to find out what her answer is. Special Notice sent 11/29/17 to FBO/Fedconnect. Asked colleagues whether SOW needed to be included, said no. Several responses from FBO asking why we are sole sourcing 11/29 and 11/30/17 dates. All final documents received by 11/29/17 igned JOFOC; 11/16/17 SOW; Signed JOFOC received 11/29/17 via email from Tricia Lynn after Team Lead signed</p>								

Message

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 12/19/2017 4:37:22 PM  
**To:** Wilson, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=af76604c334046ef81611a859d0e0e14-Wilson, Jessica]  
**Subject:** RE: Contract awarded 12/7/17

Thanks so much Jessica! ☺

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

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**From:** Wilson, Jessica  
**Sent:** Tuesday, December 19, 2017 11:29 AM  
**To:** Brown, Rayna <brown.rayna@epa.gov>  
**Subject:** FW: Contract awarded 12/7/17

Definers Corp

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**Julia Cotrone**  
O: 571.290.5461 | C: 781.424.3491

Email:  
[jcotrone@definerscorp.com](mailto:jcotrone@definerscorp.com)

*Jessica V. Wilson*  
*Contracting Officer*

*U.S. Environmental Protection Agency*  
**OARM/OAM/HPOD/PCSC**  
*Ronald Reagan Building #61178*  
*1200 Pennsylvania Ave. NW Mail Code: 3803R*  
*Washington, DC 20460*  
*Phone: 202-564-2504*  
*E-mail: [wilson.jessica@epa.gov](mailto:wilson.jessica@epa.gov)*

**From:** Julia Cotrone [<mailto:jcotrone@definerscorp.com>]  
**Sent:** Monday, December 11, 2017 11:17 AM  
**To:** Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>  
**Cc:** [jpounder@definerscorp.com](mailto:jpounder@definerscorp.com); Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>; Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>  
**Subject:** Re: Contract awarded 12/7/17

Hi Donna,

We working to amend this now - will be in touch shortly

On Mon, Dec 11, 2017 at 9:37 AM, Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)> wrote:

Hi Julia

Per my voice mail today. When can the Office of Administrator start using your services. Your quote indicates start date of 1/1/18. Please amend your quote to reflect period of performance, as to when the services start and end. Thanks so much!!!!.

Donna Dews

Contract Specialist

US Environmental Protection Agency

Office of Acquisition Management

HPOD/Program Contract Service Center

Washington, DC 20460

202-564-6752 (DIRECT)

[Dews.donna@epa.gov](mailto:Dews.donna@epa.gov)

--

**Julia Cotrone**

O: 571.290.5461 | C: 781.424.3491



Message

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**From:** Brown, Rayna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4FBCEECD71DA4930B2F0AA5E247B46B1-BROWN, RAYNA]  
**Sent:** 12/19/2017 6:20:39 PM  
**To:** Scott, Elaine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b1c4758a7bda4256b7e79cec4b9f493f-ESCOTT02]  
**Subject:** Re: FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025

Thanks Elaine! I got it from Jessica. Thanks again for standing in the gap and sorry it went down like it did. Definitely a teachable opportunity! Take care

Kind regards,

Rayna Brown

Service Center Manager

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

(202) 564.6025 Office

On Dec 19, 2017, at 12:10 PM, Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)> wrote:

Thanks for the update Rayna. Were you able to get the email we were talking about? I can forward you what I have if you'd like.

Elaine

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**From:** Brown, Rayna  
**Sent:** Tuesday, December 19, 2017 12:07 PM  
**To:** Stewart, Keith <[Stewart.Keith@epa.gov](mailto:Stewart.Keith@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Quarles, Michael <[Quarles.Michael@epa.gov](mailto:Quarles.Michael@epa.gov)>; Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>; Wilson, Jessica <[Wilson.Jessica@epa.gov](mailto:Wilson.Jessica@epa.gov)>; Gosnell, Jody <[Gosnell.Jody@epa.gov](mailto:Gosnell.Jody@epa.gov)>  
**Cc:** McLean, Sarsah <[McLean.Sarsah@epa.gov](mailto:McLean.Sarsah@epa.gov)>; Madison, Tommie <[Madison.Tommie@epa.gov](mailto:Madison.Tommie@epa.gov)>; Scott, Elaine <[Scott.Elaine@epa.gov](mailto:Scott.Elaine@epa.gov)>  
**Subject:** FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025

Hello all,

Please be advised, I have just spoke with Julia Cotrone with Definers Corp about an hour ago to provide a courtesy call that I will be issuing a unilateral modification to terminate for convenience (a full termination) the subject order pursuant to the GAO protests that was filed and stipulates the award

must be cancelled. As such, all funds on the order will be fully de-obligated. Under a termination of this nature, pursuant to FAR 52.212-4 (see below) the contractor may be entitled to certain incurred expenses prior to the termination or in association with the termination that could not otherwise been mitigated. I will coordinate with Michael accordingly for funding if needed. I have asked that Definers sign and return the modification just as a means of acknowledgement and her company is prepared/agrees to do so upon receipt today.

If you receive any communication from this vendor or any other interested party, please direct them to myself as the Contracting Officer of record from this point forward. Please call us if you have any questions or concerns.

Thank you and have a nice day! ☺

**FAR 52.212-4 Contract Terms and Conditions—Commercial Items.**

(I) **Termination for the Government's convenience.** The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination. The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

Message

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**From:** Scott, Elaine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B1C4758A7BDA4256B7E79CEC4B9F493F-ESCOTT02]  
**Sent:** 12/19/2017 5:10:05 PM  
**To:** Brown, Rayna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4fbceecd71da4930b2f0aa5e247b46b1-Brown, Rayna]  
**Subject:** RE: FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025

Thanks for the update Rayna. Were you able to get the email we were talking about? I can forward you what I have if you'd like.

Elaine

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**From:** Brown, Rayna  
**Sent:** Tuesday, December 19, 2017 12:07 PM  
**To:** Stewart, Keith <Stewart.Keith@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Quarles, Michael <Quarles.Michael@epa.gov>; Dews, Donna <Dews.Donna@epa.gov>; Wilson, Jessica <Wilson.Jessica@epa.gov>; Gosnell, Jody <Gosnell.Jody@epa.gov>  
**Cc:** McLean, Sarsah <McLean.Sarsah@epa.gov>; Madison, Tommie <Madison.Tommie@epa.gov>; Scott, Elaine <Scott.Elaine@epa.gov>  
**Subject:** FYI >> CO just informed Definers Corp. of intent to issue a modification to cancel the award EP-18-H-000025

Hello all,

Please be advised, I have just spoke with Julia Cotrone with Definers Corp about an hour ago to provide a courtesy call that I will be issuing a unilateral modification to terminate for convenience (a full termination) the subject order pursuant to the GAO protests that was filed and stipulates the award must be cancelled. As such, all funds on the order will be fully de-obligated. Under a termination of this nature, pursuant to FAR 52.212-4 (see below) the contractor may be entitled to certain incurred expenses prior to the termination or in association with the termination that could not otherwise been mitigated. I will coordinate with Michael accordingly for funding if needed. I have asked that Definers sign and return the modification just as a means of acknowledgement and her company is prepared/agrees to do so upon receipt today.

If you receive any communication from this vendor or any other interested party, please direct them to myself as the Contracting Officer of record from this point forward. Please call us if you have any questions or concerns.

Thank you and have a nice day! ☺

**FAR 52.212-4 Contract Terms and Conditions—Commercial Items.**

(I) **Termination for the Government's convenience.** The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination. The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.

Kind regards,

Rayna Brown  
Service Center Manager  
U.S. Environmental Protection Agency (U.S. EPA)  
OAM/HPOD/PCSC  
(202) 564.6025 Office

**To:** Dews, Donna[Dews.Donna@epa.gov]  
**Cc:** Gosnell, Jody[Gosnell.Jody@epa.gov]; Lynn, Tricia[lynn.tricia@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Stewart, Keith[Stewart.Keith@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Quarles, Michael  
**Sent:** Tue 12/5/2017 4:51:31 PM  
**Subject:** RE: Response to Sole Source Notification: 68HE0H18B0002

Thank you Donna.

Have a great day,

Michael G. Quarles  
Acquisitions and Assistance Manager  
Office of Administrative and Executive Services  
US Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Mail Code 6202A  
(202) 343-9970

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**From:** Dews, Donna  
**Sent:** Tuesday, December 05, 2017 11:49 AM  
**To:** Quarles, Michael <Quarles.Michael@epa.gov>  
**Cc:** Gosnell, Jody <Gosnell.Jody@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>  
**Subject:** FW: Response to Sole Source Notification: 68HE0H18B0002  
**Importance:** High

Hi Michael

See below.

Please send a kind note after reviewing their capability statement as to why you are doing a Sole Source for your Media Support and Analysis and copy me for our contract documentation records so we can avoid possible a protest.

You can use your description off of your JOFOC as a starting point to support your reasoning.

Also send a note to:

[Ben.kessler@meltwater.com](mailto:Ben.kessler@meltwater.com)  
[armand@blueforcecommunications.com](mailto:armand@blueforcecommunications.com)

I can forward the above individual emails (Ben and Armand) to see what they were requesting from you or you can just let them know this was just to inform them of your office's intent to sole source, since no capability statement was sent. It is up to you if you want to send them the finalized SOW.

**Per our phone conversation yesterday and our request via email, please get a quote from Definer's and a Capability Statement. I do not believe the Cost Breakdown is adequate documentation for our records. A quote – defines the items being purchased, the price per item, terms and conditions and an expiration date and the period of performance, instead of 1 year define as 12 months.**

Again, Thank you.

Donna Dews  
Contract Specialist  
US Environmental Protection Agency  
Office of Acquisition Management  
HPOD/Program Contract Service Center

Washington, DC 20460  
202-564-6752 (DIRECT)  
[Dews.donna@epa.gov](mailto:Dews.donna@epa.gov)

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**From:** Burt Squires - TechMIS [<mailto:burt.squires@techmis.com>]  
**Sent:** Wednesday, November 29, 2017 11:48 AM  
**To:** Dews, Donna <[Dews.Donna@epa.gov](mailto:Dews.Donna@epa.gov)>  
**Subject:** Response to Sole Source Notification: 68HE0H18B0002  
**Importance:** High

29 November 2017

Donna Dews  
HPOD/US Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 3803R  
Washington, DC 20460

Dear Ms. Dews,

TechMIS LLC is submitting the following response to solicitation 68HE0H18B0002 posted on the FBO as a Sole Source Notification on 11/29/17. We have the capability to perform all functions described in this solicitation in house.

TechMIS, a Service-Disabled Veteran-Owned Small Business (SDVOSB), is a leader in media monitoring, knowledge management and systems engineering and has successfully provided high-level media monitoring and News Briefing support to the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Labor (DOL), Immigration and Customs Enforcement (ICE), and U.S. General Services Administration (GSA). Our human-prepared News Briefing products directly serve nearly 50,000 government employees daily.

We request that the Government not award this contract without competition. Additionally, the Government can expedite the award to TechMIS via our newly-awarded GSA Schedule Contract (MOBIS Schedule 874-1) or by issuing a sole-source award to TechMIS as a Service Disabled Veteran-Owned Small Business (SDVOSB) under FAR 19.1406.

GSA Contract Number: GS-00F-215GA  
Contract Period: June 9, 2017 to June 8, 2022  
874-1: Integrated Consulting Services

Any and all questions about this response should be addressed to the following: Burt Squires, Vice President of TechMIS LLC at 12208 Woodlands Circle, Dade City, FL 33525. Mr. Squires has both signature and negotiation authority for this response. Mr. Squires can be contacted at 717-324-1342 or via email at [burt.squires@techmis.com](mailto:burt.squires@techmis.com).

Regards,



Steven Mains, PhD  
CEO & Managing Partner



Burton J. Squires  
Vice President & Partner



Harvey Glasgow  
Controller, FSO & Partner

